CITY OF TRINIDAD **Initial Study**

Planning Department **409 Trinity Street, Trinidad, CA 95570,** **(707) 677-0223**

INITIAL STUDY and CHECKLIST

PROJECT: **Van Wycke Bicycle and Pedestrian Connectivity Project**

LEAD AGENCY:
City of Trinidad
Planning Department
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PROJECT LOCATION: From the intersection of Ocean Ave. and Wagner St., along Ocean Ave, Edwards St., and Van Wycke St. / Trail to the lower intersection of Van Wycke and Edwards Streets.

PROJECT PROPONENT / PROPERTY OWNER:
City of Trinidad
409 Trinity Street, P.O. Box 390
Trinidad, CA 95570
(707) 677-0223

ZONING/GENERAL PLAN DESIGNATION: The project site is primarily within the Edwards and Van Wycke Streets City rights-of-way, which have no zoning or general plan designation. Adjacent land uses are mostly Urban Residential (UR) to the north and Open Space to the south. Some of the project may occur on private lands to be acquired by the City just north of the failing portion of the Van Wycke Trail. These properties are zoned and designated as UR. The project site is within the Coastal Zone and subject to the City of Trinidad's Local Coastal Program (LCP).

PROJECT SUMMARY: The Van Wycke Bicycle and Pedestrian Connectivity Project involves several improvements within the project area to improve both pedestrian and bicycle travel connectivity within the City of Trinidad. Improvements include installation of new curbs, sidewalks and crosswalks, a 5' paved bike lane in the uphill direction of Edwards Street (south side) and sharrows in the downhill direction, and construction of a

5' wide gravel pedestrian trail where the existing Van Wycke Street trail is failing; repair of the trail requires construction of a new retaining wall. Other improvements include split-rail fencing, striping, detectable warning surfaces and directional and interpretive signs.

SURROUNDING LAND USES AND SETTING: The City of Trinidad is a small community located on a coastal terrace above the Pacific Ocean. The project occurs almost entirely within City rights-of-way. However, many of the improvements will also be located on or near the edges of coastal bluffs and adjacent to residential development. In addition, some private lands may be utilized in order to move the failing section of Van Wycke Trail further from the unstable bluff edge. Land uses surrounding the project boundaries are almost exclusively residential on the northern, uphill side and mostly open space and coastal bluffs on the southern, downhill side.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a **"Potentially Significant Impact"** as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Hazards & Hazardous Materials	☐ Public Services
☐ Agricultural Resources	☐ Hydrology/Water Quality	☐ Recreation
☐ Air Quality	☐ Land Use/Planning	☐ Transportation/Traffic
☐ Biological Resources	☐ Mineral Resources	☐ Tribal Cultural Resources
☐ Cultural Resources	☐ Noise	☐ Utilities/Service Systems
☐ Geology/Soils		☐ Mandatory Findings of Significance
☐ Greenhouse Gasses	☐ Population/Housing	☒ None

DETERMINATION:

On the basis of this initial evaluation:

☐	I find that the proposed project COULD NOT have a significant effect on the environment, and a SUBSEQUENT NEGATIVE DECLARATION will be prepared.
☒	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DEDCLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Trever Parker 4/19/19

Signature Date

Trever Parker, City Planner, City of Trinidad

Printed Name For

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation has been provided for all answers including a "No Impact" answer. These are adequately supported by the information and sources cited within each topic section. A "No Impact" answer is adequately supported by the referenced information sources showing that the impact would not occur under the project. A "No Impact" answer has been further explained where it is based on project-specific factors as well as general standards.

2) All answers have taken into account the whole of the action involved, including off-site, on-site, direct, indirect, cumulative, construction and operational effects. This evidence is included in the discussion under each item.

3) Where the City of Trinidad has determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. There are no "Potentially Significant Impacts" identified.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The explanation provided described the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5) Earlier environmental analyses/documents have been referenced and relied upon by the City, including those sources listed below. These documents are available for review at City Hall, located at 409 Trinity Street, Trinidad. Other citations utilized include cross-references to applicable local, state and federal standards.

PROJECT DESCRIPTION / SETTING:

1. LOCATION / SETTING:

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 60 feet above sea level to 190 feet above sea level. 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.

The project is located within the City limits of the City of Trinidad, in Humboldt County, California (Attachment 1). 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 Westhaven-Moonstone community has a population of 1,205 people (2010 Census), and 367 people live within the City limits (2010 Census).

The project area is primarily with the Edwards and Van Wycke Streets rights-of-way (Attachment 2). The project extends as far east as Ocean Avenue and north to Wagner Street. It extends west to the lower intersection of Edwards and Van Wycke. The southern boundary is Van Wycke Street.

Adjacent land uses include almost exclusively residential homes and open space. Much of the project is located adjacent to the top of a coastal bluff, with Trinidad Bay lying to the south. Trinidad Bay is part of the Trinidad Head Area of Special Biological Significance (ASBS), which is a designated State Water Quality Protection Area (SWQPA). In addition, it has been designated as a Critical Coastal Area by the Coastal Commission. And the City has been designated by BLM as a Gateway to the California Coastal National Monument. The majority of the project is also located within the California Coastal Trail corridor.

Much of the urban area overlies a fairly uniform sand aquifer, above a low permeability Franciscan melange (bedrock). The coastal bluffs adjacent to the project area are subject to instability. The bluffs were also the location of a Yurok Village called Tsurai. While the village site itself is located to the east of the project area, much of Trinidad holds cultural significance to the Yurok People, and therefore there is the potential for cultural resources within and adjacent to the project area. In addition, the bluffs have the potential for supporting Environmentally Sensitive Habitat Areas such as coastal scrub or coastal bramble.

The City of Trinidad is one of California's smallest incorporated cities, with a population of 367 at the time of the 2010 Census. Trinidad is primarily a residential community, which minimal infrastructure and services. It is also a destination community due to its harbor, coastal access and recreational opportunities. Because of Trinidad's small size, residents of all ages often walk and bike to get to school, run errands, or head down the street to get a cup of coffee. Many parents and students use active modes of transportation to get to

Trinidad Elementary School, located at the heart of town. Visitors come to Trinidad to enjoy the beaches, shop, and hike on the many nearby trail systems. While many residents and visitors travel Trinidad on foot, there are portions of town where the non-motorized infrastructure is lacking, and most get in their cars to bypass these areas.

2. PURPOSE AND NEED

Purpose / Objectives

The primary purpose of this project is to repair the Van Wycke Trail. This project has been a long-time priority for the City and builds upon previous City projects to provide a complete accessible route through central Trinidad. The City has supported small-scale repairs of the trail, funded feasibility and engineering studies and geological assessments, and sought external funding over many years. Those efforts led to the current conceptual design for the retaining wall. In addition to stabilizing the trail, the project includes a retrofit of existing utilities that are located within the failing section of Van Wycke.

The overall project is intended to encourage non-motorized transportation by removing barriers and creating a safe and continuous non-motorized pedestrian and bicycle route through the project area. The Van Wycke Bicycle and Pedestrian Connectivity Project would restore and improve the primary non-motorized pedestrian route connecting the Trinidad Memorial Lighthouse area to the Harbor and Trinidad Head Area below. The Van Wycke Trail is historic public coastal access and is identified in Trinidad's certified Local Coastal Program (LCP). The project would also improve bicycle passage along Edwards St, which is designated as part of the California Coastal Trail.

This project will result in a more walkable and bikeable community, increasing safety, health and quality of life for the citizens of Trinidad, and supporting local tourism, one of Trinidad's main industries. Completion of this project will encourage increased walking and bicycling travel within the City by not only providing a safe alternative route for non-motorized travel, but the trail will also be appealing to those looking to walk or bike for recreational purposes.

Need for the Project

The City of Trinidad - Pedestrian and Bicycle Citywide Connectivity Project is listed as a high-priority project of Complete Streets Element of the Humboldt County Association of Governments' (HCAOG) Regional Transportation Plan (RTP) (December 2017 Update). This project is consistent with the Bicycle and Pedestrian System Element in the RTP in supporting the stated goal to create an interconnected, safe and efficient pedestrian and bicycle system that is an essential component of the regional transportation system. In addition, the project eliminates barriers to non-motorized transportation and expands the regional network of interconnected pedestrian and bicycle facilities. The project has also been a community priority; for example, "Improve Van Wycke Trail" was ranked #25 out

of 137 Goals and Projects identified and voted on as part of a Community Goals Survey and outreach project that occurred in 2015.

Bluff instability has led to the need to stabilize the Van Wycke Trail, which connects the upper and lower portions of Van Wycke Street. This trail connects the two sections of Van Wycke Street, and provides a safe path for non-motorized traffic to reach Trinidad Head and Trinidad State Beach while avoiding the lower section of Edwards Street, most of which lacks shoulders or sidewalks and has steady vehicular traffic. The trail is perched along the upper edge of a steep slope and significant earth movement is abvious in places, resulting in the City having to close the trail. A wooden retaining wall built to stabilize the worst section has been gradually torn apart over the last 10 years by the hillside's movement. The worst stretch has sunk at least five feet in just the last few years. At the east end, the concrete encasing the City's stormdrain is serving as the trail surface. ~~In addition, since the grant for this project was originally written, a large slide has reactivated and is posing a threat to Edwards Street, near the site of the Trinidad Memorial Lighthouse. This has led to a need to reconfigure the walkway and parking area in this location.~~

The City also has a water line and storm drain pipe running along the failing section of trail, which are at serious risk and would pose significant challenges to address without this project. The water line has been closed for fear of breaking in the slide, but is needed to provide adequate water pressure for firefighting in the lower Edwards portion of town. This could be addressed by laying a larger diameter water line down Edwards at significant cost. The stormdrain though, is gravity fed and cannot be relocated. Without significant efforts to stability the hillside, the City faces a real challenge to transport that water across the slide area; it cannot be allowed to drain onto the hillside, or it would exacerbate the instability.

3~~2~~. DETAILED PROJECT DESCRIPTION:

Overview

The Van Wycke Trail Bicycle and Pedestrian Connectivity Project would repair and restore the closed Van Wycke Trail, recreating a key non-motorized route from Central Trinidad down to the Harbor and Beach area below. This project would also eliminate gaps in non-motorized routes from the heart of Trinidad to other nearby trails including the Trinidad Head Trail, Galindo Street Trail, Axel Lindgren Memorial Trail, Old Wagon Road Trail, and others, as well as other features such as Trinidad State Beach and Trinidad Harbor.

The project would include installation of a retaining wall along the unpaved portion of Van Wycke Street to support a new 5' wide (7' with shoulders) pedestrian only trail where the existing trail is closed due to ongoing slope movement. The project also includes creation of a trail or walkway along the south side of Edwards Street from Wagner Street to Van Wycke Street. This trail would be created within the right-of-way on the existing

paved shoulder of Edwards Street or immediately adjacent to it, and would eliminate the existing gap in a non-motorized route between the east and west sides of Trinidad. See Attachment 2 for project details.

This new pedestrian friendly route along Edwards would eliminate the existing gap from the Old Wagon Road Trail to the Harbor Overlook (former location of the Trinidad Memorial Lighthouse) at the intersection of Edwards and Trinity Streets, and from there to the Van Wycke Trail. The Van Wycke Trail has historically been a major route for pedestrian traffic to pass from the town's core area on Main Street to one of the City's main economic and recreational areas at the waterfront and harbor. This trail would also connect to a new crosswalk on Edwards Street near Hector Street, which would also provide a connection to other residential and commercial areas of town.

The harbor area includes the commercial fishing pier, the boat launching facility, a restaurant, a large parking area, access to Trinidad Head and other trails and recreational areas, and multiple beaches, including Trinidad State Beach. The only way for vehicles to reach the waterfront is via Edwards Street, which has no continuous pedestrian or bicycle routes. The Van Wycke Trail bypasses a portion of the busy Edwards Street and connects to the low volume Van Wycke Street before again tying into Edwards Street near the harbor area. Part of the existing trail is supported by a small, wooden retaining wall that has failed, requiring the city to close the trail. This project proposes to stabilize a 200 foot segment of failing trail, by constructing an approximately 150-foot long retaining structure, and upgrading the trail to a 5-foot wide trail with 1-foot shoulders.

Split rail fencing, direction and interpretive signage, and striping would also be included in this project to delineate pedestrian and bicycle routes and protect the public from the adjacent coastal bluff.

Project Specifics

This project will be adding a high visibility crosswalk at the intersection of Edwards Street and Hector Street. Studies have shown that adding marked crosswalks along pedestrian routes helps to reduce vehicular speeds in the area. This project also includes construction of additional sidewalk or walkway along Edwards Street, as shown in Attachment 2. These improvements will keep pedestrians out of the street by creating a safe, dedicated pedestrian route of travel. Improvements to the Van Wycke Street trail will provide pedestrians a route that bypasses Edwards Street, completely separating motorized and non-motorized traffic. The proposed project includes the addition of new pavement markings and signage indicating the pedestrian and bicycle routes. By installing these items, pedestrians, cyclists and motorists are reminded and encouraged to obey general traffic rules and to behave accordingly.

The sidewalk/walkway along the south side of Edwards Streets will provide continuity for pedestrians to move to and from Van Wyke Street to Hector Street, Trinity Street, and

Ocean Avenue. The surface material for the sidewalk/walkway has not been determined but could consist of concrete, permeable pavers, or compacted gravel. It was originally envisioned that the walkway would be located outside of the existing pavement, where people are currently walking outside of a formal trail. However, due to bluff stability and cultural resource impact concerns, the walkway is planned to be located within the existing paved area of Edwards Street. The final design will need to create a clear and effective separation between pedestrians and adjacent traffic. It is also planned to installed split-rail fencing along the outside (south edge) of the walkway in order to protect the bluff edge.

Retaining Wall

As currently proposed, the retaining wall system will be approximately 50' to 100' in length. The retaining wall system may be a combination of soldier beam and lagging (soldier pile) retaining wall and mechanically stabilized earth (MSE) wall. The soldier pile wall would consist of steel I-beams/H-piles placed in drilled piers that extend into the underlying bedrock, which was found at approximately 19' below the ground surface. The I-beams will need to be attached to dead man I-beam piers on the opposite side of the trail. Lagging, consisting of treated lumber or concrete is placed between the I-beams to retain the soil. In order to reduce soil loss, the lagging will extend at least 30" below the lower adjacent grade at the wall.

Drilled piers for the soldier beams and the tieback dead man are likely to be at least 18" inches in diameter and will extend at least 10' below the bedrock surface. Larger piers and deeper embedment may be needed to resist the lateral forces imposed by earthquakes per the 2016 CBC. Vegetation removal (up to 10,000 sq. ft.) would be required in order to construct the retaining wall. Without a final design, the amount of soil disturbance is difficult to determine. However, it is estimated that up to approximately 500 cubic yards of soil would also be disturbed. In order to minimize the size of the retaining wall needed and the resulting extent of disturbance, the City will work with the uphill landowners to explore the possibility of acquiring additional land or easements in order to move the trail northward, away from the bluff.

The existing utilities that are located along the Van Wycke Street right-of-way, including a City water line and a storm drain, will be incorporated into the trail repair and retaining wall design.

Final Design

Final designs for this project have not yet been completed. However, preliminary schematics have been assembled to show potential project elements and locations. This CEQA document will help inform the final designs to ensure the least amount of environmental impact possible. Therefore, much of the discussion in this document is general and analyzes the worst-case scenario. The final specific designs will be subject to the City's Coastal Development Permit, Design Review and Grading Permit requirements at a minimum. If the final specifications alter the significance of any of the identified

environmental impacts, a new or supplemental CEQA document will be prepared and circulated as necessary. Most of the project activities will take place within the developed portions of City right-of-way and would normally be exempt from CEQA under the Class 1, repair and maintenance of existing facilities exemption (§15301 of the CEQA Guidelines). However, because the project is located adjacent to culturally and environmentally sensitive habitat areas, and due to the large retaining wall that is proposed and its potential impacts to coastal resources, this initial study is being prepared.

Summary

Specific project components at this time include the following as shown on Attachment 2:

- A new pedestrian walkway from the intersection of Ocean Ave. and Wagner St., south along the east edge of Ocean and curving along the outer/southern edge of Edwards, west to connect to the existing walkways at the Harbor Overlook (former location of the Trinidad Memorial Lighthouse) at the intersection with Trinity Street.
- New split-rail fence to protect cultural resource, fragile bluff habitat and public safety.
  - Along the outer/southern edge of the walkway along Edwards St. from Ocean Ave. to the Harbor Overlook.
  - Along the outer/southern edge of the walkway along Edwards St. from the Harbor Overlook to the upper intersection with Van Wycke St.
- New curb and sidewalk/walkway from the Harbor Overlook parking area along the southern edge of Edwards Street, west to the upper intersection with Van Wycke St.
- Paint existing curb red along the north side of Edward St. from Trinity St. west to Hector St. to match the adjacent red curb on both ends in this location, which would eliminate approximately five (5) parking spaces. (This would allow Edwards Street to be narrowed to fit the new walkway and improve bike lanes.
- New pedestrian route signage along both sections of the new walkway.
- New interpretive signage at multiple locations along the trail/walkway.
- New high visibility crosswalk from the eastern edge of Hector St. across Edwards St. with a new detectable warning.
- Pavement markings (e.g. sharrows) for a Class III bike route:
  - In both directions along Edwards St. from Ocean Ave. to the upper intersection with Van Wycke.
  - In the west/downhill direction along Edwards St. from the upper intersection with Van Wycke west all the way down to the harbor.
  - In the uphill/northern direction along Galindo St.
  - In the eastern direction along Van Wycke from the lower intersection with Edwards St. to Galindo St.
- New 5′ dedicated bike lane along the southern edge (uphill/eastern direction) of Edwards Street from the upper intersection with Van Wycke west to Galindo St.
- New detectable warning and interpretive signage at the lower intersection of Edwards St. and Van Wycke St.
- Repair approximately 200 ft. of the Van Wycke Trail between the upper intersection with Edwards St. west to Galindo St.
  - Construct 50′ to 100′ of retaining wall.

- New safety fencing along the outer edge of the retaining wall.
- New landscaping to blend the retaining wall with natural bluff vegetation.
- Pedestrian trail to be five feet wide with one foot shoulders for a minimum total width of seven feet.
- New signage and removable bollards at either end of the repair area.
- Existing utilities to be incorporated into the trail and retaining wall design and buried at an appropriate depth.

Project Alternatives

Several alternatives have been considered for this project. A slope stability investigation was completed for this project (Busch 2011). Based on that evaluation, a feasibility study and design memorandum were completed, which outlined and considered a variety of options for stabilizing the Van Wycke Trail (Winzler & Kelly 2011). Finally, a geotechnical evaluation was completed (RGH 2011). Based on these studies, in terms of soil stabilization mechanisms, the soldier beam/pile and lagging retaining wall was determined to be the best option. The original proposal included a wider trail that could accommodate both pedestrians and bicycles, but based on public input, the design was changed to the current proposal—a smaller, pedestrian only trail along Van Wycke, and bicycle improvements along Edwards Street.

Other slope stabilization options that were considered included a sheet pile wall, welded wire wall, gabion wall and reinforced soil embankment. The sheet pile wall was deemed infeasible due to the larger costs resulting from specialized construction materials and methods, and the need for a cathodic protection system to reduce corrosion. In addition, the vibrations associated with installation could cause additional bluff failures and a minor risk of damage to nearby residential structures. A welded wire wall is not desirable because it would require excavation into adjacent private property, and because the bottom-up construction would require heavy equipment on the bluff at the base of the wall. A reinforced soil embankment would also require excavation into adjacent, private property, and would have a larger footprint than other options due to the need to slope it. Therefore, this option was rejected.

Construction of a gabion wall was a seriously considered option, due to its lower costs, as well as the fact that it is a commonly used construction technique in this area, that uses readily available materials and equipment. However, based on a site-specific geotechnical investigation, RGH Consultants (2011) recommended against this option due to increased risk of failure from a foundation that would consist of loose to medium dense terrace deposits and potential failure of temporary excavation slopes during construction.

Based on public comments, a bridge to accommodate the trail was also considered as an alternative to a retaining wall type structure. This alternative was suggested, because it was thought that it could be less visually and structurally intrusive. However, conceptual renderings prepared by the City Engineer's office showed that once the hillside is

revegetated, there would be virtually no aesthetic difference between a bridge or sheet pile wall (Attachment 3). The bridge could actually be considered more visually obtrusive, because the pathway material would have to be concrete or other solid material, where a pathway on top of a sheet pile wall could be surfaced with gravel or other more natural materials. Further, in the professional opinion of the City Engineer, the bridge would not provide structural stability of the failing bluff compared to a retaining wall, which would provide structural stability. The bridge would not require less excavation and disturbance of the hillside due to the size of the bridge abutments that would be required. Lastly, construction of a bridge could be considerably more expensive than the other options.

Another alternative would be to move the Van Wycke Trail to the north to potentially avoid the need for a retaining wall, or at least minimize the size of it. However, the trail is already encroaching on private property to the north. As part of the detailed design phase of this project, the City will attempt to work with those property owners to acquire easements or other land rights in order to move the trail as far north as possible. However, it is unknown at this time how successful those efforts will be. In addition, any progress in moving the trail to the north may not result in the need for a smaller retaining wall. Therefore, this initial study evaluates the project assuming a retaining wall.

Finally, the City could permanently close the portion of Van Wycke Trail that is failing. This alternative is undesirable for several reasons including loss of public access and pedestrian connectivity. However, if potentially significant impacts are identified as part of this CEQA process, or if there is significant public opposition to the retaining wall, that could become the preferred option. Because the trail is identified in Trinidad's LCP, an LCP amendment would have to be approved by both the City and Coastal Commission in order to close the trail. There may be historic prescriptive or other easement rights that have not yet been investigated that could complicate or interfere with the closure of this public access. In addition, several utilities run along the trail, and they would need to be protected or relocated. In addition, that alternative does not meet the project objectives. Therefore, it is out side of the scope of this analysis.

DISCUSSION OF CHECKLIST RESPONSES

1. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?		X		
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X

Setting: Trinidad is a highly scenic area in general. Trinidad Bay and the bay bordering Trinidad on the west, including all their islands, offer two of the most uniquely beautiful views that can be found along the California coastline, combining ocean, islands, bay and rugged, timber shorelines. Views to, from, and along the coastline are protected by the Coastal Act. One of the main reasons that residents and visitors come to Trinidad is its scenic beauty. Both the California Coastal Act and Trinidad ordinances protect coastal viewsheds.

Areas in the City designated Open Space include: a portion of the Tsurai Study Area, Trinidad Head, Little Head, near-shore and off-shore rocks, beaches, Trinidad State Beach, Trinidad School playing field,. Areas north of the City include Trinidad State Beach at College Cove/Elks Head, Simpson Demonstration Forest. South of the City includes Baker Beach, and County Parks (Houda Point, Luffenholtz Creek Parks). Cultural resources are discussed in the Cultural Resources Element.

The project location is visible from several locations, including Launcher Beach, Trinidad Bay, Trinidad Head and Scenic Drive to the south.

Analysis:

a) Finding: The project will not have a substantial adverse effect on a scenic vista. *Less than significant impact with mitigation.*

Discussion: There are three vista points in the City as officially designated in the General Plan. However, there are several other locations that are commonly used overlooks as

well. The formal vista points are located at the Harbor Overlook (near the intersection of Edwards and Trinity), the south end of Galindo St., and one on the east side of Trinidad Head. The proposed project will be visible from all three of these locations. There are also several spots along Scenic Drive that make exceptional overlooks. Ones from which the project area would be visible include a large turn-out above Baker Beach and the parking area above Luffenholtz Beach. However, these Scenic Drive locations are more than a mile away from the project, and once construction is done, project elements will not be readily visible from those viewpoints.

Many of the proposed improvements occur at the ground level, such as new striping, curbs and pathways, and would not be readily visible from even a short distance away. Improvements that would be visible from further away include the signage, fencing and the retaining wall. Fencing will primarily be natural wood split rails, which is common along coastal trails and bluffs in Trinidad and many other locations. Public safety and warning signage will be the minimum necessary to maintain public safety. Once the final design is complete, the project will be required to go through the City's Coastal Development Permit (CDP) and Design Review process, which protects views and viewsheds.

The new retaining wall will be the most visually obtrusive improvement. It is unknown at this time exactly how much of the wall will be above the excavated slope and visible, but it will likely be around 6 to 8 ft. in height at most. The wall will likely be constructed with metal pilings, treated lumber or concrete beams (lagging) and/or mechanically stabilized earth. Vegetation removal will be required in order to construct the wall. However, planting of the area with appropriate native vegetation after construction will help to screen the wall from view and soften the look of the retaining wall. Vegetation grows quickly in this area, and it is likely that the wall will not be readily visible other than from the trail itself within a few years. (Attachment 3) Mitigation Measure 1 has been included to ensure that a planting plan that will minimize visual impacts is approved as part of the City's permitting process for this project.

As mentioned above, once the final design has been developed, the project will be required to go through the City's Coastal Development and Design Review process, which protects views and viewsheds. The City's Design Review and View Protection (DR/VP) findings (§17.60.040 and §17.60.050 of the Municipal Code) consider things such as the compatibility of materials and colors with the natural and man-made surroundings, particularly when visible from open space areas. Materials and colors of the final design will be considered along with factors such as cost and structural integrity. Various treatments can be used to manipulate the textures and colors to help them blend into the surroundings. The DR/VP findings also: (1) encourage the use of plant materials to soften the visual impact of new development; (2) require development near open space to be as visually unobtrusive as possible; (3) require that structures not be allowed to significantly block coastal views; and (4) provide protections for historic resources. These standards

will be considered in the final designs for the project and, through the permit process, will ensure that the project minimizes aesthetic impacts such that they are less than significant.

b) Finding: The project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. *Less than significant impact*.

Discussion: According to the California Scenic Highway Mapping System, there are no designated State Scenic Highways in the project vicinity (www.dot.ca.gov). Highway 101 is listed as "Eligible State Scenic Highways" but the project site is not visible from this highway. Scenic Drive, Stagecoach Road and Edwards Street are all local roads that are eligible for designation as scenic routes; the project will be visible from portions of Scenic Drive and Edwards Street. The project site does not contain any scenic resources such as landmark trees, rock outcroppings, or historic buildings that would be impacted by the project. Disturbance of soil and vegetation will be minimized. There are rock outcrops in the vicinity of the retaining wall. However, the wall itself will be located within an active earthslump and will not impact any of the rocks. In addition, the closest point on Scenic Drive from which the retaining wall would be visible is approximately 1.3 miles to the southeast. From that distance, even the retaining wall would not be readily visible. And once the screening vegetation has matured (see Mitigation Measure 1) it would not be visible from that distance at all. Therefore, the proposed project will not substantially damage scenic resources within a state scenic highway.

c) Finding: The project will not substantially degrade the existing visual character or quality of the site and its surroundings. *Less than significant impact*.

Discussion: The proposed project would result in a five-foot wide pedestrian pathway of a durable surface material such as gravel, with one-foot shoulders and safety railings. The current trail ranges from about a one-foot to three-feet wide and consists of an undulating dirt and gravel surface with only a small section of wooden railing. The new pathway will represent a change from the current aesthetics. A similar change would occur under most of the considered alternatives except to abandon the trail. This section of trail used to be much wider and is part of the Van Wycke Street right-of-way, which includes roadways providing vehicular access on either side of the trail section to be repaired. A thoughtful design that is consistent with the area and similar nearby trail improvements will enhance the user experience of the trail. The City's Design Review process will ensure that aesthetics are given appropriate treatment in the final design. Also see discussion under 'a' above.

d) Finding: The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. *No impact*.

Discussion: The project does not propose any new lighting. Therefore, the proposed project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Mitigation Measure(s):

Mitigation Measure 1: Vegetative Screening Plan. Vegetative screening using site appropriate, native, locally sourced vegetation consistent with Mitigation Measure 2 will be used to soften the visual impact of the retaining wall. The planting plan will be included as part of the CDP/DR application to be approved by the Planning Commission.

2. AGRICULTURE & FORESTRY RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Setting:

There are no lands in Trinidad that are zoned or designated for agricultural or forestry use. There are no lands that are suitable for agriculture and forestry uses in the City. There are no privately owned parcels greater than eight acres in size in the City, and soils are generally very sandy and not conducive to large-scale agriculture. Coastal Act policies are

very protective of agricultural land, and Trinidad's land use regulations have been certified by the Coastal Commission as part of the City's Local Coastal Program.

Most of the large parcels in town are located on steep slopes and / or in environmentally sensitive habitat areas, which limit the types of uses that could be appropriate. There is a substantial amount of commercial and non-commercial forest land, including land designated as Timberland Production Zone (TPZ), in upland areas east of Trinidad, outside City limits.

Analysis:

a) Finding: The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. ~~No~~*Less than significant impact*.

Discussion: Though California's Farmland Mapping and Monitoring Program has not mapped Humboldt County, agriculture is still extremely important in the region. However, Trinidad does not contain agriculturally zoned land or known agricultural uses other than a small private horse pasture. Soils in the project area are often either very sandy with high percolation rates or have impermeable clay layers. In addition, the salty ocean air and prevalence of offshore wind limit agricultural potential on even good soils. Upland portions of the Trinidad terrace contain Halfbluff-Tepona-Urban Land, 2 to 9 percent slopes, which could be considered prime farmland if irrigated. However, only the eastern most portion of the project, between Trinity Street and Ocean Avenue, is located on this soil, and that portion of the project does not involve any soil disturbance or include any new structures. The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a nonagricultural use; therefore, no impact would occur. (Attachment 4)

b) Finding: The project will not conflict with existing zoning for agricultural use, or a Williamson Act contract. *No impact*.

Discussion: There is no agriculturally zoned land in the City of Trinidad. (Attachment 5) The project sites are generally within public rights-of-way, and the surrounding areas are primarily zoned Urban Residential on the inland side with Open Space and Special Environment on the seaward side. There are no parcels in the project area under Williamson Act contract.

c) Finding: The project will not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526). *No impact.*

Discussion: There is no land zoned for forestry or timber within the City (Attachment 5). There is land zoned TPZ within the City's Planning Area, but none near the project sites; the commercial timberland is located east of Hwy 101 and the rural residential areas nearer to the coast.

d) Finding: The project will not result in the loss of forestland or conversion of forest land to non-forest use. *No impact*.

Discussion: The project site does not contain forestland and is not zoned for timber production. The project will take place on and near coastal bluffs that are not suitable for timber production. Therefore, the proposed project will not result in the loss of forestland or conversion of forest land to non-forest use.

e) Finding: The project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. *No impact*.

Discussion: The project will take place on and near coastal bluffs that are not suitable for agriculture or timber production. The project is not near any agricultural or timber land. Therefore, the project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

Mitigation Measure(s):
None proposed.

3. AIR QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X	

d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Setting:

The project area is located within the North Coast Air Basin and within the jurisdiction of the North Coast Unified Air Quality Management District (NCUAQMD), which encompasses Del Norte, Humboldt and Trinity Counties. The North Coast Air Basin, which extends all the way into Sonoma County, is currently listed as being in "attainment" or is "unclassified" for all Federal health protective standards for air pollution. However, under State ambient air quality standards, the North Coast Air Basin has been designated "nonattainment" (Humboldt and Mendocino Counties) for 24-hour and annual particulate matter less than ten microns in size (PM-10) (CARB 2018). Both natural and anthropogenic sources of particulate matter in the NCAB have led to the PM-10 nonattainment designation.

All of Humboldt County has been designated by the California State Air Quality Board as being in "nonattainment" for PM-10 air emissions. PM-10 air emissions include chemical emissions and other inhalable particulate matter with an aerodynamic diameter of less than 10 microns. Primary human sources of PM-10 emissions include vehicle emissions, construction dust, road dust, open burning of vegetation, wood stoves and stationary industrial sources (NCAQMD 2018). Natural sources of PM-10 include smoke from wildfires as well as airborne salts and other particulate matter naturally generated by ocean surf. Therefore, any use or activity that generates unnecessary airborne particulate matter may be of concern to the NCUAQMD and requires compliance with Air Quality Regulation 1, Chapter IV, Rule 430.

The project site has no history of contamination and is not adjacent to any industrial uses. The surrounding residential uses and neighborhoods may produce some pollutants in the form of smoke from wood burning fireplaces, exhaust from vehicles and pollutants from other household chemicals. Salt air and fog can also be sources of PM-10 common in Trinidad.

Analysis:

a) Finding: The project will not conflict with or obstruct implementation of the applicable air quality plan. *Less than significant impact*.

Discussion: Air quality in the City of Trinidad is regulated by the North Coast Unified Air Quality Management District (NCUAQMD). As required by the California Clean Air Act, the NCUAQMD adopted an Attainment Plan in 1995 to identify major PM-10 sources and develop and implement control measures to meet state ambient air quality standards. The

NCUAQMD's attainment plan established goals to reduce PM-10 emissions and eliminate the number of days in which standards are exceeded.

The proposed project will generate a minor amount of particulate emissions during construction in the form of dust and vehicle emissions as a result of ground disturbing activities, including mechanical clearing, grading, base laying and surface application, in addition to exhaust emissions from on-road haul trucks, worker commute vehicles, and construction equipment. The area of greatest activity and disturbance will be around the retaining wall, where excavation, pile driving and fill will be required. The exact size of the area of disturbance and construction methods are unknown at this time. However, the area of disturbance will be less than one acre and construction is not anticipated to take longer than 6 months. Other portions of the project will not require soil disturbance. Therefore, due to the small area of disturbance and short duration of construction, dust and emissions will not be significant.

Prior to construction, the project is required to obtain a Coastal Development Permit and Grading Permit from the City. Section 15.16.080 allows the City to put conditions on permit approvals in order to control dust and other nuisance impacts. In addition, §15.16.210.B includes the following minimum requirements: "*All graded surfaces shall be wetted, protected, or contained in such a manner as to prevent a nuisance from dust or spillage. Equipment and materials on the site should be used in such a manner as to avoid excessive dust and noise.*" To reduce potential impacts to air quality, standard construction BMPs, including environmental protection actions consistent with the NCUAQMD Particulate Matter Attainment Plan that would substantially reduce dust and other air pollutants during the construction period, will be incorporated into the project as needed to comply with City and NCUAQMD requirements. Also see Mitigation Measure 5 (*Construction BMPs*) in Section 9.

In the long term, the project would encourage bicycle and pedestrian transportation and could reduce vehicular traffic in Trinidad. It could also reduce the amount of dust that currently comes from unsurfaced trails and walkways by providing a more durable surface. The operation of the project will not result in any kind of direct or indirect emissions. The project would also be consistent with applicable City policies and regulations related to air resources. Therefore the project will not obstruct implementation of the NCUAQMD Attainment Plan for PM-10, and a less than significant impact would occur.

b) Finding: The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. *Less than significant impact with mitigation*.

Discussion: Under the federal Clean Air Act of 1977, the US EPA is required to identify National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. The EPA has established NAAQS for six criteria air pollutants (Carbon Monoxide, Lead,

Nitrogen Dioxide, Ozone, Particle Pollution and Sulfur Dioxide), but the NCAB does not exceed these federal pollutant thresholds. Under the California Clean Air Act, the California Air Resources Board (CARB) has adopted more stringent standards for the criteria air pollutants. Though it has adopted a particulate matter attainment plan, the NCUAQMD has not established specific thresholds of significance for the other criteria pollutants. As discussed above, the NCAB is currently designated as a state non-attainment area for suspended particulate matter (PM10), but does not violate other federal, state, or local air quality standards (CARB 2018). In the NCAB, most particulate matter is caused by vehicle emissions, wind generated dust, construction dust, wildfire and human caused wood smoke, and sea salts. Health effects from particulate matter include reduced lung function, aggravation of respiratory and cardiovascular diseases, increases in mortality rate, and reduced lung function and growth in children.

Air quality impacts can be divided into two phases for a project; construction and operation. The operation of the project will not generate stationary or mobile sources of pollutants. In fact, the project is designed to promote bicycle and pedestrian travel, which may help to decrease some vehicular traffic in Trinidad. Traffic related impacts are further discussed under Section 16 – Transportation and Traffic.

The NCUAQMD's Regulation 1 prohibits nuisance dust generation, such as that generated by construction activity. Pursuant to Air Quality Regulation 1, Chapter IV, Rule 430 – *Fugitive Dust Emissions*, the handling, transporting, or open storage of materials in such a manner, which allows or may allow unnecessary amounts of particulate matter to become airborne, shall not be permitted. Reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including, but not limited to: (1) covering open bodied trucks when used for transporting materials likely to give rise to airborne dust; and (2) the use of water or dust suppressants for control of dust in the removal of existing improvements, construction operations, the grading of roads or the clearing of land.

To reduce potential impacts to air quality, standard construction BMPs, including several environmental protection actions consistent with the NCUAQMD Particulate Matter Attainment Plan that would substantially reduce dust and other air pollutants during the construction period have been incorporated via Mitigation Measure 5 and will be included as conditions of approval of the required Grading Permit as needed. Therefore, the project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Also see discussion under subsection 'a' above.

c) Finding: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). *Less than significant impact ~~with mitigation~~*.

Discussion: As described above, the NCAB is in non-attainment for the criteria air pollutant PM10; however, as discussed above, project construction would cause only minor and short-term production of PM10 and would not significantly increase the background levels. Project operation would result in negligible additional PM10 emissions and may even reduce them. Therefore, the project would result in a less than significant cumulative impact to air quality from criteria air pollutant and precursor emissions.

d) Finding: The project will not expose sensitive receptors to substantial pollutant concentrations. *Less than significant impact*.

Discussion: Sensitive receptors in the project area include residences, churches, Trinidad Elementary School, a bed and breakfast, and vista points. Construction of the project would create temporary emissions of toxic air contaminants, primarily as a component of diesel emissions from construction equipment. Due to the variable nature of construction activity, the generation of toxic air contaminant emissions would be temporary, particularly considering the short amount of time such equipment is typically within an influential distance of sensitive receptors. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (BAAQMD 2017). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities associated with this project.

Construction is anticipated to occur over approximately five months (June to October) between the hours of 7:00 AM and 6:00 PM, Monday through Friday. Section 15.16.210 of the City's grading ordinance specifies that all grading within 1,000 feet of any residential occupancy shall occur between the hours of 8:00 a.m. and 5:30 p.m., unless other hours are specified by the City Engineer. In this case, the City Engineer has suggested a longer window of time in order to avoid the need for construction on weekends, to keep the construction window to less than six months and to keep costs down. As discussed above, the project would result in only minor, short-term construction-related air emissions. As these emissions are temporary in nature, health risks from project construction are not anticipated. Construction impacts are less than significant.

Project operation would not expose sensitive receptors to substantial pollutant concentrations as the project does not include any stationary source emissions and may reduce mobile emissions by encouraging bicycle and pedestrian travel. Therefore, no operational impacts would occur.

e) Finding: The project will not create objectionable odors affecting a substantial number of people. *Less than significant impact*.

Discussion: During construction, the various diesel-powered vehicles and equipment could create localized odors. Additionally, some materials used in construction or

substrates encountered in sub-surface construction may create objectionable localized odors. These odors would be temporary and not likely to be noticeable for extended periods of time beyond the construction zone due to atmospheric dissipation. The impact would be less than significant.

Project operation would not expose a substantial number of people to objectionable odors as the project components are passive and would not include anything which would cause long-term objectionable odors. Therefore, no impact would occur.

Mitigation Measures:
See Mitigation Measure 5 in Checklist Section 9 - Hydrology and Water Quality.

4. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		
c) Have a substantial adverse effect on federally protected artificial wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Setting:

The Trinidad Planning Area, and even the small area of the City itself, has a relatively high diversity of habitat types. Habitats vary considerably from conifer and hardwood forests to coastal scrub and sandy beaches, to kelp beds and offshore rocks, that include both intertidal and subtidal areas. Riparian vegetation is located along portions of all thirteen of the coastal streams in the planning area. This vegetation protects the quality of the water, minimizes soil erosion and sedimentation, and provides valuable habitat for a wide variety of animals.

Trinidad has several Environmentally Sensitive Habitat Areas (ESHAs) including, but not limited to, portions of coastal bluffs, biologically rich tide pools, nesting grounds, kelp beds, streams, riparian habitats, and rare, threatened, or endangered plants or plant communities. The City recognizes and utilizes ESHA definitions and designations in accordance with current Coastal Act regulations, Dept. of Fish and Wildlife requirements and CA Native Plant Society policies / recommendations.

The project area primarily consists of coastal scrub habitat including two locations of the coastal bramble (*Rubus (parviflorus, spectabilis, ursinus*) Shrubland Alliance) vegetation community, considered ESHA by the California Coastal Commission and protected by Coastal Act Policy 30240. A detailed description of this ESHA and the biological surveys that were conducted are included in the Biological Report prepared for this project (SHN 2018); the mapped ESHA locations are included as Attachment 6.

The project area potentially contains habitat for various wildlife species typically associated with urban landscapes, shrubby habitat, and marine shorelines of northwestern California. The California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Online Inventory were queried on April 4, 2018 for any species recorded within the Trinidad USGS quadrangle and eight adjacent quadrangles. Five special status species were determined to have a moderate or high potential of occurrence within the immediate vicinity of the project area. Due to the lack of suitable habitat, the project is not likely to adversely affect these special status species or their habitats.

With respect to the land use regulations, the City's Open Space (OS) and Special Environment (SE) designations encompass the City's major creeks, wetland, riparian, shoreline, and other ESHAs. Because development in OS and SE areas is very restricted, land use designations help to protect these sensitive coastal resources.

Analysis:

a) Finding: The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. *Less than significant impact*.

Discussion: The project site is located on a south facing slope of coastal scrub with marine influence and exposed to the elements. The habitat types present in the project area are suitable for supporting foraging birds and other wildlife, though not ideal for nesting.

Surveys were conducted for CDFW and USFWS special status plants and animals, with a particular focus on the location of the proposed retaining wall, and did not detect any sensitive species within the project area. The project will have no effect on special status plant species or their habitat due to the lack of habitat within the project area and the developed nature of the project area.

Based on the existing site conditions, species descriptions, and habitat needs, no special status species would be expected to occur on the project site. Field visits were conducted on April 4 and July 27, 2018 by a qualified biologist/botanist from SHN and no special status species were observed on the project site.

The minimal vegetation removal that could occur as part of this project is not likely to adversely affect the ESHAs or any special status species. Much of the vegetation that would need to be removed to build the retaining wall is non-native blackberry (*Rubus armeniacus*) and is immediately adjacent to the existing trail right-of-way. For protection of birds under the Migratory Bird Treaty Act, Mitigation Measure 2 requires this temporary disturbance to be conducted during the non-nesting season (August 16-January 31), unless a nesting bird survey is conducted prior to vegetation removal if done during the nesting season (February 1 – August 15).

Therefore, the project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species.

b) Finding: The project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. *Less than significant impact with mitigation*.

Discussion: The project site does not contain any waterways, riparian vegetation, or wetland areas. The riparian habitats to the north and to the east, and the estuarine and marine wetlands situated along the coastal shores will not be directly impacted by the

project with the implementation of standard BMPs to prevent erosion and storm water runoff (see Mitigation Measure 5).

There are two areas of Coastal brambles (*Rubus spectabilis* and *Rubus ursinus* as dominant), considered ESHA by the California Coastal Commission and protected by Coastal Act Policy 30240. One of these areas may be affected by the proposed retaining wall, although the impact is not anticipated to be significant. Minimal vegetation removal immediately adjacent to the existing trail footprint will be necessary to achieve project goals. Coastal bramble adjacent to the former lighthouse location is unlikely to be impacted by the project, as it is outside the area proposed for the construction of the trail. Re-seeding with native vegetation along the trail right-of-way, as well as targeting the removal of non-native plants, will reestablish the coastal scrub habitat of the project area (Mitigation Measure 2).

Therefore, the project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community.

c) Finding: The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. *No impact*.

Discussion: The project is located between a developed residential area and a slope containing coastal scrub. There may be a seep within this area where groundwater exits after hitting the impervious bedrock layer of Franciscan mélange. Trinidad's sandy soils do not typically support wetlands, and the National Wetlands Inventory (NWI) does not report any wetlands within the project area. Although formal wetland delineation was not conducted for this project, no potential wetland areas were identified during biological field surveys. Therefore, the project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

d) Finding: The project will not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. *Less than significant impact*.

Discussion: The project is located within developed rights-of-way. The retaining wall is the only project component that may disturb a new area, but that is located on a steep hillside. The project site and surrounding area are already substantially developed and disturbed with no significant native habitat. Species currently using the area would already be accustomed to human disturbance. Wildlife could easily cross the trail or use the trail itself for a movement corridor. A split-rail fence proposed as part of this project would not restrict wildlife movement due to the non-restrictive design. The retaining wall is proposed to be 50 to 100 feet long and would not pose a significant barrier for wildlife

movement. Most wildlife movement is expected to occur along riparian corridors. The project will occur more than 50 feet from the edge of riparian vegetation. There are no impacts to streams or marine habitat. Therefore, the proposed project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

e) Finding: The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. *Less than significant impact*.

Discussion: As described in the setting and discussions above, the project site does not contain any significant biological resources including waterways, riparian vegetation, wetlands, or tree cover. The Trinidad General Plan biological resource protection policies (15-18) are fairly limited, focusing on riparian and rare plant habitats, neither of which exist within the project area. However, Coastal Act Policy 30240 protects Environmentally Sensitive Habitat Areas (ESHAs) from impacts due to development and is addressed in b) above. As described above in a), the project area was surveyed during seasonally appropriate times for detecting special status biological resources and none were observed, nor their habitat. Therefore, the proposed project will not conflict with any local policies or ordinances protecting biological resources.

f) Finding: The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. *No impact.*

Discussion: There are no applicable Habitat Conservation Plans or Natural Community Conservation Plans applicable to the project site or in the project vicinity. Therefore, the proposed project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved plan applicable to the project area.

Mitigation Measures:

Mitigation Measure 2 – Biological Resource Protection Measures.

1. Construction activities to be conducted during the non-nesting season (August 16-January 31), unless a nesting bird survey is conducted prior to vegetation removal if done during the nesting season (February 1 – August 15).
2. Construction limits will be demarcated with temporary construction fencing , by a qualified professional, to exclude coastal bluff scrub dominated with native vegetation to the extent practical in order to avoid accidental encroachment into those areas.
3. If any coastal bluff scrub habitat is disturbed, it will be replaced at a ratio of 3:1 (for every unit area disturbed, three times that area will be created or restored). This can include restoration of areas that don't currently qualify as ESHA.

4. Disturbed areas along the project right-of-way will be re-seeded with native, locally sourced vegetation that is compatible with the local coastal environment.
5. Non-native plant species will be removed within the project area to the fullest extent feasible without causing further disturbance to the surrounding habitat.

5. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Archaeological and other heritage resources can be damaged or destroyed through uncontrolled public disclosure. Archaeological site locations and culturally sensitive information is considered confidential and public access to such information is restricted by state and federal law, therefore, this information has been redacted for use in the Mitigated Negative Declaration (MND). Professionally qualified individuals, as determined by the California Office of Historic Preservation, may contact the lead agency directly in order to inquire about its availability.

Information regarding the location, character or ownership of a historic resource is exempt from the Freedom of Information Act pursuant to 16 U.S.C. 470w-3; Section 304 of the National Historic Preservation Act, 36 CFR 800(6)(a)(5) and 36 CFR 800.11(c); Section 9(a) of the Archaeological Resources Protection Act; Executive Order 13007; Section 6254.10 and GC 6254(r) of the California State Government Code and the California Public Records Act (CPRA); and the 2005 California Senate Bill 922.

Setting:

The City of Trinidad lies within the traditional territory of the Yurok people who lived within the Trinidad area and the ancestral village of Tsurai. The proposed project area along the Edwards and Van Wycke Streets lies close to the known Yurok village site of Tsurai. The surrounding areas, including all of the Trinidad townsite and Trinidad Head,

as well as, the coastal margin to the north and south are part of an associated cultural landscape with immeasurable significance to the Yurok people, who are now part of the Trinidad Rancheria, Tsurai Ancestral Society, and Yurok Tribe. The Yurok Tribe considers Tsurai Village and Trinidad Head to be sacred sites, as well as, areas of archaeological and cultural significance. There are currently recorded archeological sites within the Trinidad area. Qualified professionals can refer to the 2018 Cultural Resources Investigation Report (WRA 2018) for further details regarding archaeological sites. A redacted copy is also available for review by the public.

Although no specific Native American or historic period archaeological sites are known directly in the project area, it is anticipated that such deposits exist. Historic research indicated that the project area has a high potential for native American archaeological sites. Pre-contact era archaeological site indicators would predominantly include stone tools or chert and obsidian, stone tool debitage, ground stone implements, milling stone features, locally darkened midden soils, possibly shell and/or bone debris, pit features and rock alignments. Site types associated with Native American religious activity could include cupule boulders, rock rings and prominent outcrops, as well as human remains.

The project area is also near the old Gold Rush town center and the project area runs through one of the oldest cities in California, raising the possibility of encountering Euroamerican historic resources. Historic period cultural resources associated with Gold Rush-era Trinidad could be located in the project vicinity. Expected historic period cultural resource indicators include ceramic, glass or metal artifacts; structures; trails; tailings and pits.

Analysis:

a) Finding: The project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. *Less than significant impact*.

Discussion: The project site is located within the City limits of the City of Trinidad. The project is also near the old Gold Rush town center and the project area runs through one of the oldest cities in California raising the possibility of encountering Euroamerican historic resources. Because of the sensitivity of the entire Trinidad area there is a risk of encountering Native American and/or Euroamerican historical resources.

A Cultural Resources Investigation of the project parcels was completed by William Rich & Associates (WRA) in November 2018. Background research for this investigation included a records search at the Northwest Information Center (NWIC) and a background literature review. The literature review for this project included an examination of historical maps, records and published documents at the Humboldt County Historical Society, Humboldt State University Library, and the Humboldt County Library.

The investigation analyzed the impacts of the project and on Page 3 stated: "*Because the proposed project will not alter built environment resources, and because the residual visual effects of the completed work will be limited to pavement stripping, no historic period buildings or structures were evaluated as part of this investigation*." The project may include some split-rail fencing along the outside of the walkway to protect natural and cultural resources on the bluff. There would also be a safety railing of unknown design along the outside of the retaining wall and likely some signage. However, these small developments would not result in ground disturbance and would therefore not impact any nearby historic resources.

As such, the WRA investigation report contains the following conclusion on Page 26, "*the finding of this investigation, based on research and a surface survey is that, although much of the Survey area is obscured by pavement, no historic properties will be affected within the proposed project area. WRA believes that the survey is adequate to identify any potential surface archaeological resources within the project area that would qualify for the NRHP.*" Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

b) Finding: The project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. *Less than significant with mitigation*.

Discussion: The City of Trinidad lies within the traditional territory of the Yurok people who lived within the Trinidad area and the ancestral village of Tsurai. There are recorded archeological sites within the Trinidad area. Qualified professionals can refer to the 2018 Cultural Resources Investigation Report by WRA for further details regarding archaeological sites; a redacted copy is also available for public review.

Multiple cultural resources have been recorded as a result of the archaeological studies in the Trinidad area; however none are located directly within the project area. The entire project area is, however, within a general location of cultural significance associated with the larger use areas of Tsurai Village. The WRA report (2018, page 3) states that "*Although no specific Native American or historic archaeological sites are known directly in the project area, it is anticipated that such deposits exist.*"

Background research for this investigation included a records search at the Northwest Information Center (NWIC) and a background literature review. The literature review for this project included an examination of historical maps, records and published documents at the Humboldt County Historical Society, Humboldt State University Library, and the Humboldt County Library. The records search at the NWIC indicated that there are no records of cultural resources directly within project area, though some have been recorded nearby.

Consultation with the local Tribal Historic Preservation Officers (THPOs) from the Trinidad Rancheria and the Yurok Tribe, and with a representative of the Tsurai Ancestral

Society occurred as part of the WRA investigation. Correspondence is presented in the Archaeological Survey Report, consisting of emails, phone calls and in-person site visits.

In addition, a pedestrian reconnaissance survey of the project area was conducted. It was found that the project area has been subject to previous construction of road, stormwater drainage systems, underground electric lines and other utilities as well as development of adjacent private lands. Project area soils showed signs of disturbance. All exposures of mineral soils were closely examined. Special attention was given to cut-banks, rodent tailings, and other areas where archaeological materials could be encountered. The field survey was surface only, no excavation occurred. No archaeological sites, features, or artifacts were observed within the project area during the surface survey.

Trinidad Rancheria, Tsurai Ancestral Society, and the Yurok Tribe have indicated that ceremonial places and ethnographic landscapes, such as the village of Tsurai and surrounding areas, are areas of profound spiritual significance to Yurok culture. All three groups have requested Native American monitoring during project implementation. As such, the WRA investigation report (Page 26) contains the following recommendation, "*the following recommendations have been designed in accordance with the expressed concerns of the Trinidad area tribes:*

1. *A monitoring Plan/NAGPRA Plan of Action be put in place prior to permit approval, thereby setting up a formal agreement between the stakeholders regarding the plan for items discovered and excavated dirt removed during project implementation.*

2. *It is recommended that any grading or earthwork activities within the project area be monitored by tribally appointed monitors.*

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(s) must be kept informed by the contractor and understand the ground disturbance schedule. Field notes should be kept by the monitor(s) and a brief letter report of the monitoring effect filed with the Northwest Information Center.*

In addition, there is a possibility that historic resources, including buried archaeological materials, do exist in the area and may be uncovered during proposed projects activities. In the event cultural remains are encountered during project implementation, it was recommended that an inadvertent discovery protocol be put in place prior to project construction. The following example was provided on Page 27 of the WRA investigation report.

Yurok Tribe Policy and Procedures for Inadvertent Discovery of Yurok Cultural Items

Traditional Yurok Law requires reburial of cultural items, and known funerary items as soon as possible. The Yurok Tribal Government shall make every attempt to immediately rebury these items upon notifications. In stances where it is believed that a violation of tribal law, federal/state law have been committed, the tribal government or another law enforcement agency shall investigate and determine if prosecution is warranted, and seek retribution for the crime(s) committed against Yurok ancestors and sacred sites.

Procedures for notifying the Yurok of an inadvertent discovery of human remains, associated and/or unassociated funerary items, and cultural items.

Step 1. *Upon discovery of human remains, associated and/or unassociated funerary items the individual or representative of an organization, governmental agency shall immediately stop ground-disturbing activities in the immediate area of the discovery.*

Step 2. *Must establish a reasonable protective barrier (marked by flagging tape) around the cultural site, within which, ground-disturbing activities are temporarily suspended. You shall also take steps to protect the discovered item(s) in a respectful and dignified manner. Removal of the unearthed item is not recommended unless it is directly threatened by a destructive force (i.e. heavy equipment).*

Step 3. *Immediately report the discovery to the Yurok Tribal Heritage Preservation Officer (THPO), Trinidad Rancheria TPO and the Tsurai Ancestral Society. You must also follow all applicable state and federal laws in the event that human remains are discovered (i.e. County Corner).*

This protocol was provided to WRA by the Yurok Tribe in 2017, however the Trinidad Rancheria and Tsurai Ancestral Society may also want to provide input on these procedures. It is ~~also~~ recommended that the City of Trinidad continue consultation and seek approval of this inadvertent discovery plan before final permit approval. In addition, in a letter dated February 4, 2019, the Native American Heritage Commission (NAHC) referenced Health and Safety Code §7050.5 and Public Resources Code § 5097.98, which outline a specific process for the inadvertent finds of human remains. Notification of the tribe determined (by the coroner) to be the MLD for the project will be done by the NAHC. Therefore, the NAHC has been included in the consultation process for developing a final inadvertent discovery protocol related to human remains for this project.

The recommendation from the WRA investigation report has been included as Mitigation Measure 3 for the project (see below). With the proposed mitigation measures, the project will not cause a substantial adverse change in the significance of an archaeological resource.

c) Finding: The project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. *Less than significant impact*.

Discussion: Paleontological resources are the remains or traces of prehistoric animals and plants. Paleontological resources, which include fossil remains and geologic sites with fossil-bearing strata are non-renewable and scarce and are a sensitive resource afforded protection under environmental legislation in California. Under California Public Resources Code (CPR) Section 5097.5, unauthorized disturbance or removal of a fossil locality or remains on public land is a misdemeanor. State law also requires reasonable mitigation of adverse environmental impacts that result from development of public land and affect paleontological resources (CPR Section 30244).

The Trinidad area is underlain by a geologic unit commonly referred to as the Franciscan Formation. Franciscan rocks have their origins in the deep sea, where they were formed by turbidity currents that deposited sand, mud, gravel, and silica from the shells of marine creatures (Streamline Planning Consultants 2007). These substances accumulated over tens of millions of years and hardened to form sandstone, shale, conglomerate, greenstone, and chert. The Franciscan Formation consists of blocks of resistant sedimentary and metamorphic rock within a matrix of sheared, deformed, and highly erodible rock. Due to the common seismic activity and rapid uplift of this formation, the young Franciscan geology does not generally contain paleontological resources.

The project area has been subject to previous construction of roads stormwater drainage systems, underground electric lines and other infrastructure, as well as development of adjacent private lands have limited the potential for discovery of paleontological resources. According to WRA (2018), project area soils consisted of clays, silts, gravels, rounded and sub-angular pebbles, and showed signs of disturbance with usually deeply buried terrace deposits exposed on surface in some areas.

It is unlikely that project construction would impact paleontological resources; therefore, the impact is considered less than significant.

d) Finding: The project will not disturb any human remains, including those interred outside of formal cemeteries. *Less than significant with mitigation*.

Discussion: There are no known human remains on the site (see discussion under finding 'b' above). However, due to the potential of discovering unknown human remains during the proposed construction activities, Mitigation Measure 3 has been included to address the process for handling the inadvertent discovery of human remains (see below). Therefore, the proposed project will not disturb any human remains.

Mitigation Measure:

Mitigation Measure 3 – Cultural Resource Protection Measures

1. A Monitoring Plan / NAGPRA Plan of Action shall be put in place prior to permit approval, thereby setting up a formal agreement between stakeholders regarding the plan for items discovered and excavated dirt removed during project

construction. The plan will be developed with input from the NAHC, Yurok Tribe, Trinidad Rancheria, and the Tsurai Ancestral Society.

2. Any grading or earthwork activities within the project area shall be monitored by tribally appointed monitor(s).
3. Cultural resource monitors shall 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 will be delayed until an archaeologist, qualified to the Secretary of Interior Standards, has assessed the significance of the find.
4. The cultural resource monitor(s) shall be kept informed by the contractor of the ground disturbance schedule. Field notes shall be kept by the monitor(s) and a brief letter report of the monitoring effort filed with the Northwest Information Center.

6. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?		X		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Setting:

The entire Trinidad area is underlain by a geologic unit commonly referred to as the Franciscan Formation, or Franciscan Complex. Franciscan rocks have their origins in the deep sea, where they were formed by turbidity currents that deposited sand, mud, gravel, and silica from the shells of marine creatures. Geologists refer to this formation as a mélange because of its mixture of different rock types.

Local topography is characterized by a series of marine terraces, which in cross-section have the appearance of wide stair-steps. These gently sloping surfaces were formed in the geologic past by wave erosion and deposition, and have been moved above sea level due to periodic sea-level changes and uplifting of the coastline. The terrace surfaces range in elevation from about 140 feet at the western edge of town, to 600 feet at the eastern edge. Most of the ground surface in Trinidad has a slope of 15% or less, but steeper slopes are found at sea cliffs, stream banks, and the boundaries between marine terraces. (Streamline Planning Consultants 2007)

The project area is located within the northern Coast Ranges Geologic Province which is a seismically active area in which large earthquakes may be expected to occur during the economic lifespan (50 years) within the entire project area. The entire northern coast of California is subject to seismic activity, due mainly to the proximity of the Cascadia Subduction Zone (CSZ). Multiple tectonic plates (pieces of the Earth's crust) collide off the coast of northern California and southern Oregon to form the CSZ, a 750-mile-long thrust fault. According to the State of California (Dept. of Conservation) Special Studies Zones Maps, the project site is not located within an Alquist-Priolo Zone, though one does cross the City in a northwest direction east of the project area (part of the Mad River Fault Zone). (Attachment 7)

Erosion of coastal bluffs is a concern because the coastline is continuously attacked by ocean waves, particularly at high tide and during the winter storm season. Rates of cliff retreat vary along the coastline depending on local bedrock characteristics and degree of protection from waves. General slope instability is also a concern, particularly near coastal bluffs. Several types of slope failure have the potential to occur in the Trinidad area. Earthflows and debris flows are the most common, and tend to happen on the clay-rich

material of the Franciscan matrix. This type of landslide poses a danger to structures because it often involves the movement of large blocks of material, such as the ones that come to rest on Old Home Beach. Active flows are generally characterized by a "head" scarp at the upslope end and either a lumpy "toe" of debris or a cohesive block of material at the downslope end, so they can be recognized in the field. (Streamline Planning Consultants 2007)

As determined by a geotechnical investigation (Busch, 2011), the stratigraphic column in the area of the retaining wall consists of two main colluvial soil units and two "rock" units. An approximately 2.5-foot layer of black topsoil overlies a dark yellow-brown sandy silt subsoil estimated to be approximately 7 to 10 feet thick. Underneath these soils is variable layer of marine terrace sediments, consisting mostly of sands and gravels, on top of the Franciscan Complex mélange bedrock approximately 19 feet below the existing ground surface (RGH, 2011).

Analysis:

a.i) Finding: The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Divisions of Mines and Geology Special Publication 42. *Less than significant impact.*

Discussion: The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. This act prohibits the siting of structures designed for human occupancy across active faults and regulates construction within fault zones. Within Trinidad, the Trinidad Fault (part of the Mad River Fault Zone) has been designated under the Alquist-Priolo Act of 1972. The zone encompasses about 60 acres, or 19% of the land within the City limits. In this zone, any new development of structures for human occupancy, with the exception of wood-framed, single-family residences two stories or less in height, would be required to undergo a geologic study before a building permit would be issued. However, the project does not include housing or structures for human occupancy subject to the Alquist-Priolo Act.

In addition, none of the project sites fall within the Alquist-Priolo Fault Hazard Zone. At its closest point (Edwards Street and Ocean Avenue), the project is located approximately 800 feet from the nearest Alquist-Priolo Fault Hazard Zone, and the retaining wall is approximately 1,800 feet away. Design recommendations for the retaining wall were made by RGH Consultants in a memo dated December 22, 2011, which included several general commendations. However, because the final design has not been completed, those recommendations have not been included as mitigation. The final design will be prepared by appropriately licensed professionals, and any recommendations will be incorporated

into the project through the CDP/DR process. Therefore, the project will not expose people or structures to substantial adverse effects from a fault rupture.

a.ii) Finding: The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. *Less than significant impact.*

Discussion: The project area is located within the northern Coast Ranges Geologic Province which is a seismically active area in which large earthquakes may be expected to occur during the economic lifespan (50 years) of any development within the project area. The extent of ground-shaking during an earthquake is controlled by the earthquake magnitude and intensity, distance to the epicenter, and the geologic conditions in the area. The project does not involve the construction of structures which would be occupied by people, nor is it designed to attract significant numbers of new users that would be at risk. Structures will be designed and built to current standards under the recommendations of appropriately licensed professional(s). Therefore, the project will not expose people or structures to substantial adverse effects including the risk of loss, injury, or death involving strong seismic ground shaking.

a.iii) Finding: The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. *Less than significant impact.*

Discussion: Liquefaction is the transformation of saturated, loose, fine-grained sediment to a fluid-like state because of earthquake shaking or other rapid loading. Liquefaction is known to occur in loose or moderately saturated granular soils with poor drainage. The proposed project would not include residential development, occupied structures, or critical facilities that would be subject to liquefaction. Liquefaction caused by seismic shaking has a low probability of occurrence in Trinidad. According to the Humboldt County WebGIS and other mapping (e.g. CDMG), there is no potential for liquefaction to occur in the Trinidad area. In addition, site specific geotechnical evaluations in the area of the retaining wall (Bush, 2011 and RGH, 2011) did not identify liquefaction as a potential hazard. Therefore, the project will not expose people or structures to substantial adverse effects involving seismic-related ground failure, including liquefaction.

a.iv) Finding: The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. *Less than significant impact.*

Discussion: Most of the project occurs along the tops of a coastal bluff, which are known to be inherently unstable. However, the project will be constructed within developed rights-of-way, where people are already walking and biking. The project won't increase existing landsliding risks. The retaining wall ~~is designed~~has been proposed as the most feasible way to stabilize the Van Wycke Trail in a location that has been damaged by

landslide activity. The City's grading ordinance requires the City Engineer to make a finding 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 the provisions of the grading ordinance, the zoning ordinance and the general plan. All applicable findings and recommendations of the existing and future geotechnical reports will be incorporated into the final design of the project as appropriate. However, because the final design may not be a soldier pile wall, existing recommendations have not been incorporated as mitigation measures at this time. However, any professional recommendation on the final design will be included as conditions of approval as part of the permit process.

b) Finding: The project will not result in substantial soil erosion or the loss of topsoil. *Less than significant impact with mitigation*.

Discussion: Construction activities, including cut, fill, removal of vegetation, and operation of heavy equipment would disturb soil and, therefore, have the potential to cause erosion. An erosion control plan (Mitigation Measure 4) would be prepared for the project prior to the start of construction and soil disturbance. The erosion control plan would include BMPs designed to reduce erosion of exposed soil and minimize the sediment entrained in runoff from the site during construction. BMPs may include: silt fences, straw bales and wattles, soil stabilization controls, site watering for controlling dust, and sediment detention basins.

In general, the project is designed to reduce erosion potential through construction of the retaining wall and walkways along Edwards Street, where people are currently walking along unpaved areas at the top of the bluff. The proposed project will require City approval of a Grading Permit and an erosion and sediment control plan and grading, drainage and erosion control specifications will be per City standards consistent with Chapter 15.16 (Grading) of the Trinidad Municipal Code. Therefore, the proposed project will not result in substantial soil erosion or the loss of topsoil.

c) Finding: The project will not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. *Less than significant impact.*

Discussion: As noted previously, steep slopes and unstable geologic material create erosion and landslide hazards in areas of Trinidad. The project generally occurs within already developed rights-of-way. The bluffs south of Edwards and Van Wycke Streets are known to have unstable areas. An active landslide is currently threatening the outer portion of Edwards Street near the intersection with Trinity Street. The adjacent parking area recently had to be reconfigured, and the slide could impact the proposed walkway along the south edge of Edwards. Concerns about slope stability and cultural resources have made it more likely that the walkway will be constructed within the existing paved

area rather than outside of it. Regardless, creation of the walkway will not expose people to additional risk, because people are already walking in this location. In addition, the final configuration will be designed to increase stability and minimize erosion occurring as the result of people walking along the unimproved portion of the right-of-way at the top of the bluff.

Two geotechnical reports have been prepared for the failing area of the Van Wycke Trail where the retaining wall is proposed. It was found that the failure consists of a slump (rotational failure) of wet fill soils and stress cracked sediments (Busch 2011). The geotechnical reports and feasibility studies prepared for this project identified a soldier pile wall as the most economic, long-term solution other than, and in conjunction with, moving the trail as far upslope as possible. The purpose of the retaining wall is to stabilize this well-used trail, and it will be designed to meet current codes and standards such that it will not lead to additional instability. As part of the City's grading permit process, the City Engineer has to make the finding 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 the provisions of the grading ordinance, zoning ordinance, and the general plan (TMC §15.16.070.A). Therefore, the project will not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

d) Finding: The project will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. *Less than significant impact.*

Discussion: Expansive soils are generally high in certain clay types and are prone to large volume changes that are directly related to changes in water content. Trinidad is not in an area known to have expansive soils. According to a comprehensive, City-wide geotechnical report prepared for a number of planned stormwater infiltration projects (GHD, 2012), the marine terrace formation underlying the majority of the project area is dominated by fine to medium-grained beach sand, up to 70 feet thick, with local discontinuous thin layers of silt and gravel generally less than two feet thick. These substrate types are unlikely to be classified as expansive because they are generally well drained and do not include a substantial clay component. The impact from expansive soils would be less than significant. Site specific geotechnical evaluations for the retaining wall (Bush, 2011 and RGH, 2011) also did not identify expansive soils as a hazard.

e) Finding: The project will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. *No impact.*

Discussion: The project will not require the use of an onsite wastewater treatment system and will not generate wastewater. One of the project alternatives includes moving the Van

Wycke Trail upslope (north) as far as possible. This would be located on what is currently private property, and would require assessment and consideration of the location of any septic system as part of any negotiations or agreements with those property owners. Therefore, the project will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

Mitigation Measures:

Mitigation Measure 4: Erosion Control. An erosion control plan will be included as part of the Grading Permit application. At a minimum the following erosion control actions shall be included in the plan and 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

7. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Setting:

The California Global Warming Solutions Act of 2006 (Assembly Bill 32) definitively established the state's climate change policy and sets GHG reduction targets (Health & Safety Code §38500 et seq.). The state set its target at reducing greenhouse gases to 1990 levels by 2020. The North Coast Unified Air Quality Management District (NCUAQMD) does not have rules, regulations, or thresholds of significance for nonstationary or construction-related GHG emissions. In 2011, the NCUAQMD adopted Rule 111 - Federal Permitting Requirements for Sources of Greenhouse Gases to establish a threshold above

which New Source Review (NSR) and federal Title V permitting applies and to establish federally enforceable limits on potential to emit greenhouse gases for stationary sources. These are considered requirements for stationary sources and should not be used as a threshold of significance for non-stationary source projects.

An individual project does not generate enough GHG emissions to significantly influence global climate change (AEP 2007). Rather, global climate change is a cumulative impact. This means that a project may participate in a potential impact through its incremental contribution combined with the contributions of all other sources of GHG. In assessing cumulative impacts, it must be determined if a project's incremental effect is "cumulatively considerable." (CEQA Guidelines §15064(h)(1). Due to the nature of the proposed project (trail project), the City has determined that it is appropriate to assess potential GHG impacts qualitatively—as allowed by CEQA Guidelines §15064.4(a)(2).

The existing Trinidad General Plan predates modern planning relevant to GHG emissions and global warming. The City is in the process of updating its General Plan and has prepared a Draft Climate Action Plan (CAP) which is available on the City's website. The Draft CAP is meant to serve as a template or framework to assist Trinidad in adopting its own CAP and implementation measures. The overarching goal of the Draft CAP is to provide support for greenhouse gas reduction measures by providing supporting policies and guidelines which focus on the reduction of gasses, either indirectly such as through waste diversion or livability, or directly through energy efficiency and reduced vehicle miles traveled. The Draft CAP provides tools and recommendations to increase community involvement, awareness, and implementation of emission reduction measures.

The project site is located along the south edge of town, in area with a mix of residences and open space. It is located within City rights-of-way and will provide a connection from the main commercial areas of town and the harbor for bicyclists and pedestrians.

Analysis:

a) Finding: The project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. *Less than significant impact.*

   Discussion: Sources of greenhouse gas emissions from the proposed project will occur during short-term construction. Long-term operation will not produce greenhouse gas emissions, and may actually reduce them. This is because the project is designed to accommodate existing users and encourage them to use alternative modes of transportation.

Construction of the project would cause GHG emissions as a result of combustion of fossil fuels used in construction equipment as well as materials used in construction. The project would require the use of several pieces of heavy earthmoving equipment, delivery trucks,

construction commute and utility vehicles, paving equipment, generators, and other small engine-powered tools, all of which will be maintained to meet current emissions standards as required by the California Air Resources Board (CARB) and the North Coast Unified Air Quality Management District (NCUAQMD).

The NCUAQMD has not adopted a threshold for construction-related GHG emissions against which to evaluate significance and has not established construction generated criteria air pollutant screening levels above which quantitative air quality emissions would be required. The Sacramento Metropolitan Air Quality Management District (SMAQMD) has recommended a threshold of 1,100 metric tons per year of CO2 equivalent for construction (SMAQMD 2015). Project emissions during construction of the project would not approach this threshold level of emissions, which is associated with much larger projects. Therefore, the project would not cause a considerable contribution to the cumulative GHG impact. Given the project's relatively limited scale, scope, and duration, it would not have a noticeable or considerable contribution to the cumulative GHG impact. The impact would be less than significant.

Long-term operation of the project will provide additional bicycle and pedestrian connectivity within the City. Providing a safe alternative for bicyclists and pedestrians to travel between "downtown" and the harbor will encourage non-motorized transportation, thereby reducing greenhouse gas emissions.

Therefore, the proposed project will not generate greenhouse gas emissions that may have a significant impact on the environment.

b) Finding: The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. *Less than significant impact.*

As stated above, the City of Trinidad has prepared a Draft CAP as part of the General Plan update process, but has not yet adopted it or any formal GHG emission reduction policies in its General Plan. The County has adopted a resolution in commitment to reduce GHG emissions. Although the project would produce a minor amount of construction-related emissions, the project would not conflict with these plans and policies and there would be no impact.

Mitigation Measures:
None proposed.

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands?			X	

Setting:

There are several sources of hazardous materials that can affect Trinidad. Fuel oil spills are a constant threat from towing, parking and operation of fleet vehicles, visitor/ resident/patron parking and delivery vehicles. Business and household hazardous waste has a tendency to accumulate in and around residential areas in the form of cleaners, solvents, lubricants, paints, and adhesives. Machinery/appliance leaks from businesses or construction sites can potentially be uncontained. If these materials are not properly

disposed of or recycled they present a serious threat to the health and wellbeing of the residents and the environment.

The City has an adopted City Emergency Plan. The purpose of this plan is to ensure that the City will be prepared to respond effectively in the event of emergencies to save lives, restore and protect property, repair and restore essential public services, and provide for the storage and distribution of medical, food, water, shelter sites, and other vital supplies to maintain the continuity of government.

The project is located within public rights-of-way located on the south edge of town. Trinidad Elementary School is located approximately 500 ft. to the north of the closest section of the project area. The closest public airport to the project area occurs approximately 5.5 miles to the south (Arcata-Eureka Airport); the United States Coast Guard Air Station is also located adjacent to the Arcata-Eureka Airport.

Analysis:

a) Finding: The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. *Less than significant impact.*

Discussion: Project construction would require the use of hazardous materials such as fuels, lubricants, paints, and solvents. Numerous laws and regulations ensure the safe transportation, use, storage and disposal of hazardous materials. Worker safety regulations cover hazards related to exposure to hazardous materials. Regulations and criteria for the disposal of hazardous materials mandate disposal at appropriate landfills. Because the City, contractors, and other construction service providers would be required to comply with existing hazardous materials laws and regulations for the transport, use, and disposal of hazardous materials, the impacts associated with the potential to create a significant hazard to the public or the environment would be less than significant.

Following construction, the project would not result in the storage or transport of hazardous materials. Therefore, the project will not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials.

b) Finding: The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. *Less than significant impact.*

Discussion: During construction, routine transport of hazardous materials to and from the project area could indirectly result in an incremental increase in the potential for accidents. Caltrans, the Federal Department of Transportation, and the California Highway Patrol (CHP) regulate the transportation of hazardous materials and wastes, including container

types and packaging requirements, as well as licensing and training for truck operators, chemical handlers, and hazardous waste haulers. Because the City, contractors, and other construction service providers would be required to comply with existing hazardous materials laws and regulations for the safe transport of hazardous materials, the impacts associated with the potential to create a significant hazard to the public or the environment would be less than significant. Further, with Mitigation Measure 5, an additional level of safety would occur with the requirement to implement BMPs with regard to hazardous materials and sediment.

c) Finding: The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. *Less than significant impact.*

Discussion: Trinidad Elementary School is located approximately 500 feet to the north of the project area at the closest point. No aspect of the Pedestrian Connectivity Project improvements are expected to emit hazardous materials. And as noted above, the City, contractors, and other construction service providers would be required to comply with existing hazardous materials laws and regulations for the safe transport, use, and disposal of hazardous materials. Therefore, the impact is less than significant.

d) Finding: The project will not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. *No impact.*

Discussion: There are no hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Hazardous Waste and Substances Site List or "Cortese" list) within the project area (Attachment 8). The nearest site on this list is the McNamara and Peepe Lumber Mill in Arcata. In addition, records on the SWRCB GeoTracker Website indicate that the closest active site on this list is a LUST cleanup site at Patricks Point State Park which is approximately three miles north of the project area (Attachment 9). The project is not located on a Cortese list or other list of hazardous materials sites and would therefore not create a hazard to the public or environment. No impact would occur.

e) Finding: The project will not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area. *No impact.*

Discussion: There are no public or private airports within two miles of the project. The nearest public airport, Arcata-Eureka Airport, is located approximately 5.5 miles south of the project area. The project would not result in airport-related safety hazards for people residing or working in the project area. No impact would occur.

f) Finding: The project will not, for a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area. *No impact.*

Discussion: The project area is not within the vicinity of a private airstrip. Therefore, the proposed project will not result in a hazard for people residing or working in the project area

g) Finding: The project will not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan. *Less than significant impact.*

Discussion: The Humboldt County Sheriff's Office of Emergency Services (OES) coordinates countywide response to disasters. OES is responsible for (1) alerting and notifying appropriate agencies when disaster strikes; (2) coordinating all agencies that respond; (3) ensuring resources are available and mobilized in times of disaster; (4) developing plans and procedures for response to and recovery from disasters; and (5) developing and providing preparedness materials for the public. The OES would coordinate evacuation planning in the event of seismic events, tsunamis, slope failure, floods, storms, fires, and hazardous materials spills. The OES is responsible for maintaining the Humboldt County Emergency Operations Plan (available at: https://humboldtgov.org/374/Emergency-Operations-Plan), which serves to address the planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies in or affecting Humboldt County. OES also maintains specific hazard response plans for earthquake, flooding, tsunamis, coastal storms, and other events. These response plans are used to determine the most appropriate evacuation routes based on the nature and extent of hazard.

As noted previously, the City has an adopted City Emergency Plan. The City's plan is consistent with OES's plan and the project won't interfere with either plan. The project will not impair or interfere with any emergency response/evacuation plans and does not include development that would significantly increase the number of people exposed to potential emergencies. Furthermore, traffic control and detours may be required during construction, but no roads would be closed as a result of project activities. A less than significant impact would occur.

h) Finding: The project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands. *Less than significant impact.*

Discussion: Government Code Sections 51175-89 directs the California Department of Forestry and Fire Protection (CAL FIRE) to map areas of very high fire hazard within Local Responsibility Areas (LRA). Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on relevant factors such as fuels, terrain, and

weather. Most of the project area and the entire project site is located in a "High" fire hazard severity zone within the LRA, as classified by Cal Fire (CAL FIRE 2008) (Attachment 10). The County's GIS designates the area north of Trinidad as an area of Moderate Fire Hazard Severity and the area east of Trinidad as High Fire Hazard Severity.

For the 9.9 square miles of the Trinidad Planning Area, there are two volunteer fire departments—one in Trinidad proper and the other in Westhaven. CalFire is also stationed on Patricks Point Drive and they respond to emergencies like wildland and structure fires, floods, earthquakes, hazardous material spills, and medical aids. Mutual aid agreements exist between all of the stations, continuing the agreement from the 1980's that were generated from a fire in Trinidad State Park that threatened residences along Underwood Drive.

Construction involving heavy equipment, vehicles, power tools, and personnel smoking in and around the project site could cause the ignition of a wildfire. However, the project site is within the urbanized area of Trinidad and adjacent to the coast, so the possibility of a wildfire is remote. The impact is less than significant.

Mitigation Measures:
None proposed.

9. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?		X		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?			X	

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Result in inundation by seiche, tsunami, or mudflow?			X	

Setting:

The Trinidad Planning Area is 15.5 square miles (9,924 acres) in area and contains the watersheds of 13 coastal streams (Attachment 11). The major coastal streams that flow through City boundaries are Mill Creek, McConnahas Mill Creek, and Parker Creek. Three primary threats to water quality have been identified though the City's past watershed planning efforts, which are: sediment, onsite wastewater treatment systems (OWTS), and stormwater (TRWMWG 2008). The most sensitive watershed in the Planning Area is Luffenholtz Creek as it is the City's sole source of drinking water. Luffenholtz Creek is located entirely outside of City boundaries. The City has designated both Luffenholtz and Mill Creeks (the City's undeveloped secondary water supply) as "Critical Water Supply Areas," and the County has also designated Luffenholtz Creek as such in its general plan.

The kelp beds around Trinidad Head, which includes most of Trinidad Bay, are designated as a State Water Quality Protection Area (SWQPA) – Area of Special Biological Significance (ASBS) and a Critical Coastal Area (Attachment 11). In addition, Trinidad State Beach is listed on the Clean Water Act Section 303(d) list for bacterial contamination.

Trinidad's fishing/crabbing, tourism/recreation industries and drinking water supplies are susceptible to non-point source (NPS) pollution. The City must adhere to the strict water quality standards of the CA Ocean Plan due to the presence of the Trinidad Kelp Beds SWQPA/ASBS. The CA Ocean Plan prohibits discharges into a SWQPA/ASBS. The water quality in streams and seeps within the City's Planning Area impact the ocean water quality as the streams and seeps empty into the ocean. Therefore, nearshore and offshore water quality issues are related.

Elevation of the project area ranges from approximately 50 feet above mean sea level at the base of the retaining wall to 160 feet at the eastern end of Edwards Street. Topography varies from relatively flat, to very steep. Edwards Street slopes gently to the west within the project area; Van Wycke Street slopes steeply to the southwest. Coastal bluffs adjacent to both Edwards and Van Wycke slope steeply towards Trinidad Bay to the south.

FEMA did not determine flood hazard areas for Trinidad (Zone D) because its steep slopes render the risk of flooding generally nonexistent. FEMA and the City of Trinidad have an agreement that flood insurance is unnecessary in this area, and thus most of Trinidad was not included on the National Flood Insurance Maps. According to FEMA (2017) Flood Map No. 06023C0495G, the project is outside of any coastal flood hazard areas (Attachment 12). The project parcels are not located in an area that would be subject to inundation from a mudflow. Due to the known seismic activity around the Pacific Rim, a tsunami or seiche could impact Trinidad. The tsunami runup zone is identified in the *Tsunami Inundation Map for Emergency Planning, Trinidad Quadrangle* (CGS 2009). The tsunami runup elevation is approximately 40 feet above mean sea level depending on the local topography (Humboldt County WebGIS). The base of the retaining wall will be near the maximum extent of the tsunami zone; the remainder of the project area is well outside the zone (Attachment 13).

Analysis:

a) Finding: The project will not violate any water quality standards or waste discharge requirements. *Less than significant impact with mitigation*.

Discussion: Trinidad State Beach and ocean waters could be potentially affected by runoff from project construction activities. Construction of the project would require the use of gasoline and diesel-powered equipment; this could include trucks, excavators, graders, drillers, bulldozers, backhoes, compactors, and generators. Chemicals such as diesel, gasoline, lubricants, hydraulic fluid, transmission fluid, paints, solvents, glues, and other substances would be utilized during construction. An accidental release of any of these substances could degrade surface or ground water and cause adverse impacts, particularly if this were to occur in an area that drains towards the ASBS. Incorporation of Mitigation Measures 4 and 5 will ensure that such impacts would be less than significant.

The project is subject to the City's grading ordinance and stormwater ordinance. A grading permit will be required along with an erosion control plan (see Mitigation Measure 4) that incorporates appropriate BMPs from the City's grading ordinance and the Humboldt Low Impact Development Stormwater Manual. Therefore, the proposed project will not violate any water quality standards or waste discharge requirements.

Dewatering of the construction work area could be required if groundwater accumulates in excavation areas around the retaining wall. The discharge of construction dewatering could result in a source of sediment-laden water to local waterways if not properly controlled. With incorporation of Mitigation Measure 6, Construction Dewatering Reduction into the project, the potential impact from construction dewatering activities would be held to a less than significant level by sequencing construction to coincide with the period of the lowest groundwater levels at the site to eliminate the need for dewatering. It is unlikely that dewatering would be required, because no groundwater was detected in the geotechnical investigations. However, if dewatering is needed, Mitigation Measure 6 also includes proper management actions to reduce water pollution.

With implementation of Mitigation Measure 5 and 6, the impacts to water quality would be less than significant after mitigation. No further action is warranted.

b) Finding: The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). *Less than significant impact.*

Discussion: As discussed above, dewatering of the construction work area could be required if groundwater accumulates in an excavation area. Dewatering typically involves pumping water out of the excavation area to lower groundwater levels to the extent needed for construction. Any water table draw-down during project construction would be very minor and localized and would not affect the ability of any off-site wells to draw water; there are no private wells within the City limits.

The proposed trail alignment and City of Trinidad are underlain by the 718,263 acre Mad-Redwood Groundwater Basin. Annual recharge of the Basin exceeds water withdrawals, and thus the basin is not in overdraft (Humboldt County, 2002). Most of the proposed project improvements will occur within already paved areas. The walkway along the south side of Edwards could create additional compacted or impervious surface. If the walkway is constructed outside the existing paved area, it will only impact a small area (less than 2,500 sq. ft.) adjacent to existing pavement that is already semi-compacted by pedestrian traffic. The exact area, size and materials are unknown at this time. The City is currently in the process of modifying its stormwater system to increase infiltration, and drainage from any new impervious surfaces along Edwards will be tied into the City's

stormwater system. The location is at the top of a coastal bluff where groundwater tends to exit to the surface as seeps anyway.

At Van Wycke Street, approximately 200 ft. of existing failing trail will be widened to 7 ft. (5 ft. of travel way and 1 ft. shoulders). The exact construction materials are not known at this time. However, it is likely to be less permeable than existing conditions. But like the walkway, the trail is located along the top of the bluff, where impacts to groundwater will not occur. Therefore, the proposed project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

c) Finding: The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. *Less than significant impact.*

Discussion: There are no streams or rivers flowing through or near the project site. Work within the existing Edwards Street right-of-way will not alter drainage patterns. Drainage on the failing slope along the Van Wycke Trail is currently exacerbating erosion and stability problems. The purpose of the proposed retaining wall section is to reduce ongoing erosion that has negatively impacted the Van Wycke Trail. The exact design of the retaining wall and walkway are not known at this time. However, the final design will be based on site specific soils and geologic studies that will inform a final drainage plan. Runoff will be directly downhill in a manner that would not cause erosion, infiltrated onsite, or directed into the City's existing stormdrain system.

The proposed project will require City approval of a grading permit consistent with Chapter 15.16 (Grading) of the Trinidad Municipal Code. Drainage and erosion control plans to be approved by the City Engineer will be required as part of that process. Therefore, the proposed project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.

d) Finding: The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. *Less than significant impact.*

Discussion: There are no streams or rivers flowing through or near the project site. The topography at the retaining wall location is fairly steep. The topography of Edwards Street varies, with the roadway slopes towards the west, with steepness increasing west of upper Van Wycke Street. The walkway would be in a fairly level location, but adjacent to the top of a coastal bluff, that drops steeply to the south.

As described above, the project area is outside of any FEMA mapped flood zones The City's location and topography generally preclude the risk of flooding. The project will result in only minimal new impervious surfaces and minimal alterations in topography. The proposed project will minimally alter the existing drainage pattern of the site, but not in a manner that would result in substantial flooding on- or off-site. Therefore, the proposed project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

e) Finding: The project will not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. *Less than significant impact.*

Discussion: The project will not generate substantial new stormwater. Most of the project components are located within existing, developed street rights-of-way. Drainage will either be infiltrated onsite based on site-specific studies and recommendations, or will be tied into the City's existing storm drainage system. The City is currently in the process of upgrading its storm drain system to infiltrate all or a majority of the runoff. The proposed project will be subject to the City's Stormwater Ordinance. A drainage and erosion control plan utilizing BMPs that are in accordance with the Humboldt Low Impact Development Stormwater Manual will be required by the City. Therefore, the project will not create runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

f) Finding: The project will not otherwise substantially degrade water quality. *Less than significant impact.*

Discussion: See discussion above under subsections 'a', 'c', and 'e'. The project area does not have a history of hazardous materials contamination and will not directly contribute stormwater to local streams. As mentioned in subsection 'a', construction BMPs will be adhered to during construction of the project. Due to the small size of the project, the fact that most of it will be located within already developed rights-of-way, and compliance with regulatory requirements, the project will not otherwise substantially degrade stormwater

g) Finding: The project will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. *No impact.*

Discussion: As described above, the project area is outside of any FEMA mapped flood zones The City's location and topography generally preclude the risk of flooding. In addition, the project does not involve construction of any housing. Therefore, the proposed project will not place housing within a 100-year flood hazard area as mapped on

a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

h) Finding: The project will not place within a 100-year flood hazard area structures that would impede or redirect flood flows. *No impact.*

Discussion: As described above, the project area is outside of any FEMA mapped flood zones The City's location and topography generally preclude the risk of flooding. The elevation of the project varies from approximately 60 ft. above MSL to 190 ft., which puts it outside of any areas at risk from sea level rise. There are no rivers or streams in the project area. Therefore, the proposed project will not place within a 100-year flood hazard area structures that would impede or redirect flood flows.

i) Finding: The project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. *No impact.*

Discussion: According to the Humboldt Operational Area – Hazard Mitigation Plan (HMP), the project area is not located within a dam failure inundation area. The HMP includes information on risk assessment and mitigation strategies for hazards from dam failure and other hazards such as flooding, tsunamis, earthquakes, etc. There are no large bodies of water upstream of Trinidad. The proposed project does not include activities or components which will expose people or structures to a significant risk of loss from flooding or levee or dam failure. No impact would occur.

j) Finding: The project will not result in inundation by seiche, tsunami, or mudflow. *Less than significant impact.*

Discussion: Based on area characteristics, the project site is not down-gradient of a debris-flow source and would not be subject to mudflows. The project site is also not near any enclosed water body capable of producing a seiche event. According to the State of California Humboldt County Tsunami Inundation Map for Emergency Planning, the tsunami inundation zone in Trinidad generally ends at the cliff bluffs face and Van Wycke Street to the south (CGS 2009), which is outside the project area. A less than significant impact would occur. Therefore, the proposed project will not result in inundation by seiche, tsunami or mudflow.

Mitigation Measures:

The following mitigation is included in order to reduce water quality impacts to less than significant:

Mitigation Measure 5: Construction BMPs.
The following BMPs will be incorporated into the final project and bid documents:

- 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.
- 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.
- All construction equipment shall be equipped and maintained to meet applicable EPA and CARB emission requirements for the duration of construction activities.
- Throughout construction, contractor shall maintain adjacent paved areas free of visible soil, sand or other debris.
- 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.
- Drainage courses, creeks, or catch basins shall be protected with straw bales, silt fences, and/or straw wattles.
- 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.
- Vehicle and equipment parking and vehicle maintenance shall be conducted in designated areas away from creeks or storm drain inlets.
- Major maintenance, repair, and washing of vehicles and other equipment shall be conducted offsite or in a designated and controlled area.
- Construction debris, plant and organic material, trash, and hazardous materials shall be collected and properly disposed.

Mitigation Measure 6: Construction Dewatering Protocol.
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.

10. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Setting:

The project area includes City of Trinidad zoning and land use designations including: Open Space, Urban Residential and Planned Development. Most of the project components will generally be within existing developed public road ROW as shown in Attachment 2. ROW do not have zoning or land use designations associated with them (Attachment 5).

The project area is located adjacent to residential and open space land uses. Most of the proposed improvements will be located within already developed rights-of-way, so no habitat exists there. The exception is the slope where the retaining wall would be constructed, which contains a mix of non-native communities as well as "coastal bramble," which is considered an ESHA (see Section 4 - Biological Resource for further information). There are no riparian or wetland areas within or adjacent to the project site. Much of the project is located within or adjacent to areas that are designated as being "unstable" or of "questionable stability" on Plate 3 of the Trinidad General Plan.

Analysis:

a) Finding: The project will not physically divide an established community. *No impact.*

Discussion: The purpose of the project is increase connectivity within the community for pedestrian and bicycle traffic. It will not include any structures that would impede circulation and is located along the south edge of town. Project activities are consistent with normal activities and improvements within traveled rights-of-way and will not

conflict with existing land use and zoning. Therefore, the project will not physically divide an established community.

b) Finding: The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. *Less than significant impact.*

Discussion: The Van Wycke Street Trail is identified as a formal trail on Plate 4 of City's General Plan. The Old Wagon Road Trail off of Wagner Street is also identified. The proposed improvements along Edwards Street will provide a safe and convenient connection between these two important coastal access points. Policy 5 of the Trinidad General Plan states: *"Where access trails must traverse steep slopes they should be located away from unstable areas and improvements should be provided to minimize erosion and slope failures. Existing trails which are creating these problems should either be improved or closed."* The proposed retaining wall will be designed to minimize erosion and slope failures consistent with this policy.

The project area is entirely within the Trinidad City Limits and the California Coastal Zone. The City has a Local Coastal Program (LCP) that has been certified by the Coastal Commission. Therefore, the project is within the City's Coastal Development Permit jurisdiction, and the project is also sited within the Coastal Commission's appeal jurisdiction. In order to construct the project, once the final design is completed, the City will process and approve a coastal development permit (CDP) in accordance with the City's LCP and the California Coastal Act.

Project activities are consistent with normal activities and improvements within traveled rights-of-way and will not conflict with existing land use and zoning. The project would not require a General Plan Land Use designation or zoning change and would not conflict with any applicable plan, policy or regulation with jurisdiction over the project area. Therefore, the impact would be less than significant.

c) Finding: The project will not conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan. *No impact.*

Discussion: The City of Trinidad does not have an adopted Habitat Conservation Plan, or Natural Community Conservation Plan which applies to the project area. Therefore, the proposed project will not conflict with the provisions of any applicable Habitat Conservation Plan or Natural Community Conservation Plan.

Mitigation Measures:
None proposed.

11. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Setting:

There are no mining operations within the City limits and no known mineral resources. The only nearby activities include hard rock quarries: one exists off Quarry Road (Mercer-Fraser Company); several others are located on Green Diamond Timber land to the east. These quarries provide an important source of jetty-quality rock. No mineral of state importance has been identified in or near the City's planning area.

Analysis:

a) Finding: The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. *No impact.*

Discussion: No known mineral resources have been identified within the project area. Therefore, the proposed project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

b) Finding: The project will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. *No impact.*

Discussion: No known mineral resources have been identified in the project area. Neither the City of Trinidad General Plan, nor the Humboldt County General Plan have included the project area or any other nearby location as being designated a locally important mineral resources or recovery site. Therefore, the proposed project will not result in the loss of availability of a locally-important mineral resource site delineated on a local general plan, specific plan or other land use plan.

Mitigation Measures:

None proposed.

12. NOISE. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X	~~X~~	
b) Expose persons to or generate excessive ground borne vibration or ground borne noise levels?			X	
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Setting:

The project site and surrounding area are primarily characterized by low density residential uses, open space and recreational uses. Highway 101 is located to the east, and the Pacific Ocean to the west and south. Noise levels in the project area vary depending on the proximity to human activity, Highway 101, and commercial activities in Trinidad. Depending on the weather and proximity to the coast, wind and waves can also be significant noise generators. Noise sensitive receptors and noise sensitive uses in the project area include residences, lodging establishments, churches and recreational trails; Trinidad Elementary is located approximately 500 ft. north of the project.

The California General Plan Guidelines (OPR 2017) include guidelines for noise-compatible land uses. The Land Use Noise Compatibility Matrix within Trinidad's Draft Noise & Safety Element (2012) specifies that the hourly Leq of 45 dB Leq indoors and 55 dB Leq outdoors are the maximum level below which there are no effects on public health and welfare for residences, lodging, commercial and nursing homes; however, higher

outdoor levels are identified as "normally acceptable" (60 to 70 dB Ldn) and "normally unacceptable" (70-80 dB Ldn). For libraries, schools and churches the hourly Leq of 45 dB indoors and 55 dB Leq outdoors are the noise level performance standards for new projects affected by or including stationary sources.

Analysis:

a) Finding: The project will not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. *Less than significant impact with mitigation.*

Discussion: The retaining wall construction phase of the project would require the use of heavy equipment for excavation installation, and would temporarily increase ambient noise levels for the duration of the project. However, construction operations would occur for only a limited duration of time and during the day in order to minimize impacts. During construction, noise levels would vary based on the amount of equipment in operation and the location of the activity. Noise levels would be consistent with the reference noise levels in Table 3.2: Construction Equipment Reference Noise Levels as Measured at 50 feet, below.

Table 3.2: Construction Equipment Reference Noise Levels as Measured at 50 feet

Equipment	Noise Level (dB*)	Equipment	Noise Level (dB*)
Drill Rig Truck	84	Jackhammer	85
Horizontal Boring Hydraulic Jack	80	Large Generator	82
Front End Loader or Backhoe	80	Paver or Roller	85
Excavator	85	Dump Truck	84

Source: FHWA 2006

*dB is a weighted decibel measurement for assessing hearing risk and, therefore, is used by most regulatory compliance agencies.

Based on the reference noise levels, above, the noise levels generated by construction equipment at the project site may reach a maximum of approximately 85 dB Leq at 50 feet during site excavation and construction of the retaining wall. The closest sensitive receptors are neighboring homes, some of which are less than 50 ft. away from the construction area. These would be in close proximity to construction equipment and activities potentially using backhoes, drill rigs and excavators. Therefore, it is likely that some of the residences in Trinidad would experience exterior noise levels near the full reference levels (up to 85 dB Leq) listed in Table 3.2.

A typical building can reduces noise levels by 15 dB with the windows closed (OPR 2017), thereby reducing interior noise levels within the closest homes (25 feet) to approximately 70 dB Leq. These levels would be higher than the US EPA (1974) maximum recommended interior (45 Ldn) and exterior noise (55 Ldn) levels below which there are "no effects on public health and welfare." As such, the closest residences would likely experience construction noise levels in excess of noise standards for residential use (albeit temporarily, over approximately five months during weekdays).

To avoid and minimize adverse effects to sensitive noise receptors, Mitigation Measure 7, Noise Reduction Actions, has been incorporated into the project. Under Mitigation Measure 7 sound abatement actions such as construction hour limitations, and equipment muffler/maintenance requirements will be implemented. With the implementation of Mitigation 7, construction noise would be limited in duration and intensity such that construction noise at sensitive receptors would be less than significant. Additionally, there would be no construction on weekends except with permission from the City as needed to keep the project on schedule. The soldier piles/beams would be installed in pre-drilled holes rather than driven into the ground, which will also help reduce noise and vibration impacts.

Section 15.16.210 of the City's Grading Ordinance specifies that construction activities within 1,000 ft. of any residence shall be limited to the hours of 8:00 a.m. to 5:30 p.m., unless other hours are specified by the City Engineer. In this case, the City Engineer has suggested a longer window of time (7:00 a.m. to 6:00 p.m.) in order to avoid the need for construction on weekends, to keep the construction window to less than six months and to keep costs down. Section 15.16.080 of the grading ordinance allows the Planning Commission to place a variety of conditions on a project in order to minimize impacts. These include limitations on the hours of operation or the period of year in which construction can take plan, as well as limitations on the size or type of equipment that may be used. These conditions will ensure that appropriate measures are taken, based on the final design and specifications of the project, to ensure that impacts are minimized.

Noise at the project site during operation and maintenance will not measurably exceed the existing background noise levels because only infrequent vehicular access, minor repairs, and maintenance would be required. Operational noise associated with trail use and maintenance activities would be generated adjacent to limited noise-sensitive uses (residences). However, the noise would include pedestrian/bicycle activity noise and occasional landscaping and trail repair which are typical of an urban setting. This incremental increase in noise would not expose persons to noise levels in excess of applicable standards and would not represent a substantial increase in noise. Therefore, with mitigation, a less than significant impact would occur.

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b) Finding: The project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels. *Less than significant impact.*

Discussion: Neither the short-term construction activities nor the proposed pedestrian and bicycle improvements would be expected to generate significant groundborne noise or vibration. Some short-term minor vibrations may occur during future construction activity but will be minimized by the same measure that limits hours of construction for noise (See discussion under subsection a) below). Additionally, the soldier piles/beams would be installed in pre-drilled holes rather than driven into the ground, which will also help reduce noise and vibration impacts. Therefore, the proposed project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels.

c) Finding: The project will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. *Less than significant impact.*

Discussion: The proposed project is not expected to result in a significant increase in permanent ambient noise levels given the type and size of the project. The project is located mostly within existing right-of-way and activities consist of improvements to existing roads and trails. The project is not expected to generate significant new levels of use. Therefore, the proposed project will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

d) Finding: The project will not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. *Less than significant impact.*

Discussion: The proposed improvements are not expected to generate significant noise levels in the long-term. During the construction phase, earth-moving and compacting activities would generate groundborne vibration or groundborne noise; the level of vibration or noise would typically be moderate. The construction activities will result in some temporary increases in ambient noise above existing levels. Compliance with Mitigation Measure 7 *Noise Reduction Actions*, will minimize potential noise impacts from short-term construction activities (See below). Finally, the proposed project would not include heavy industrial activities, pile driving, blasting, or other activities that could create excessive groundborne noise levels or vibration. Therefore, the proposed project will not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

e) Finding: The project will not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels. *No impact.*

Discussion: This project is not located within two miles of an airport or within an airport land use plan. The closest public airports to the project area occur approximately 5.5 miles to the south (Arcata-Eureka Airport) and approximately 12 miles to the south (Murray Field). The closest military airport is the United States Coast Guard Air Station which is located adjacent to the Arcata-Eureka Airport approximately 5.5 miles to the south of the project area. Therefore, the project will not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

f) Finding: The project will not, for a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels. *No impact.*

Discussion: The project area is not within the vicinity of a private airstrip. Therefore, the proposed project will not expose people residing or working in the project are to excessive noise levels.

Mitigation Measures

Mitigation Measure 7~~6~~: 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 7:00 a.m. to 6:00 p.m. Monday through Friday, unless other hours are specified by the City Engineer. 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.

13. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?			~~X~~	X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Setting:

The population of the City of Trinidad from the 2010 U.S. Census is 365. Trinidad's population decreased between 1980 and 2000, but then increased somewhat between 2000 and 2010. The total number of housing units in the City is a little over 200. The proposed pedestrian and bicycle improvements will be located within and along existing roads and trails.

Analysis:

a) Finding: The project will not induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure). *No impact.*

Discussion: The project does not propose new homes or infrastructure. Therefore the project will not induce substantial population growth in the area, either directly or indirectly.

b) Finding: The project, consisting of road and trail improvements within existing rights-of-way to encourage pedestrian and bicycle access, will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. *No impact.*

Discussion: The project, consisting of road and trail improvements within existing rights-of-way to encourage pedestrian and bicycle access, will not displace any houses. Therefore, the project will not displace a substantial number of existing housing, necessitating the construction of replacement housing elsewhere.

c) Finding: The project, consisting of road and trail improvements within existing rights-of-way to encourage pedestrian and bicycle access, will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. *No impact.*

Discussion: The project will not displace any people. Therefore, the proposed project will not displace substantial number of people, necessitating the construction of replacement housing elsewhere.

14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			~~X~~	X

Setting:

The project area is located within the City of Trinidad. There are two volunteer fire departments within the 15 square mile planning area, one within Trinidad City limits and the other in Westhaven. CALFIRE is also stationed on Patrick Point Drive, and they respond to emergencies like wildland and structure fires, floods, earthquakes, hazardous material spills, and medical aids. Mutual aid agreements exist between all of the stations. The Humboldt County Sheriff's Office is contracted by the City of Trinidad for police services.

The project site is part of the Trinidad Elementary School and Northern Humboldt Union High School Districts. The closest school to the project site is Trinidad Elementary School, which is located approximately 500 ft. to the north of the closest portion of the project. The nearest public parks include Trinidad State Beach 400 ft. to the west, and Saunder's Park 1,100 ft. to the northeast. Other nearby recreational facilities include coastal trails adjacent

to the project, Trinidad Head, the Trinidad Tennis Courts and Trinidad Elementary School, which is open for general public recreation outside of school hours.

Analysis:

a) Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for fire protection. *Less than significant impact.*

Discussion: The project would not result in significant adverse effects on service ratios for the TVFD. This is because the project is designed to better serve existing users, not to attract additional users. In addition, the proposed improvements are located in an area that is already served by the TVFD so that the trail would not require extension of fire protection services into areas not already served. Although there may be increased use of certain areas, the overall impact to fire services would be less than significant. Therefore, the proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for fire protection.

b) Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for police protection. *Less than significant impact.*

Discussion: The project would not result in significant adverse effects on service ratios for the police departments. This is because the project is designed to better serve existing users, not to attract additional users. In addition, the proposed improvements are located in an area that is already served by the County Sheriff so that the trail would not require extension of police protection services into areas not already served. Although there may be increased use of certain areas, the overall impact to police services would be less than significant. Therefore, the proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for police protection.

c) Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public schools. *No impact.*

Discussion: The project, consisting of pedestrian and bicycle improvements within existing rights-of-way, will have no effect on the population or school enrollment. Therefore the proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public schools.

d) Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for parks. *Less than significant impact.*

Discussion: The project is designed to improve connectivity to key points in town for pedestrians and cyclists within existing rights-of-way. The project is not expected to draw significant numbers of new users, but should help to spread out users by providing better travel options. Therefore, the proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for parks.

e) Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for other public facilities. *No impact.*

Discussion: No other public facilities or public services apply to, or are affected by, the project. Therefore, the proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios,

response times or other performance objectives for any of the public services for other public facilities.

Mitigation Measures:
None proposed.

15. RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Setting:

Activities available to local residents and visitors include recreational and educational programs at the elementary school, fraternal organization activities, sport fishing, beachcombing, hiking, picknicking, sightseeing, and related activities. Fishing and coastal access are two of the primary attractions for visitors coming to Trinidad. Publicly owned recreation areas in the project area include the school and its playground areas, City Hall (which is used for social and fraternal functions), the adjacent tennis court, Saunder's Park, Trinidad Head, Trinidad State Beach, and other public beaches. Most public access to the harbor and beaches is via Edwards Street. A trails map of the City is provided as Attachment 14.

Analysis:

a) Finding: The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. *Less than significant impact.*

Discussion: As discussed above under the Population and Housing section, the project will not induce population growth. It is also not expected to draw significant number of new visitors, since the project will improve existing access and not create new opportunities. The project will encourage active transportation (pedestrian and bicycle) between existing recreational facilities and other destinations in Trinidad. Therefore, the proposed project

will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

b) Finding: The project will not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. *Less than significant impact.*

Discussion: The project includes repairs of and improvements to existing, developed rights-of-way to improve pedestrian and bicycle access. No new facilities or access are proposed. However, construction of the proposed improvement could have adverse environmental impacts. Those impacts are discussed within the other sections of this document. Therefore, the proposed project will not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

Mitigation Measures:
None proposed.

16. TRANSPORTATION/TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.		X	~~X~~	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

Setting:

In the City there are approximately 6.27 miles of paved, impermeable roadway. The majority are narrow, local streets, with the exception of Trinity, Main and Edwards Streets that wind through the Commercial and Planned Development /Mixed Use district and provide access to the Harbor and beaches from Hwy 101. Trinidad residents are dependent on a single highway (U.S. Highway 101) for access to major services, employment, and commercial areas. Highway 101 also facilitates visitor access to Trinidad.

The majority of the project occurs along Edwards and Van Wycke Streets. Edwards Street is designated as a primary collector in the Trinidad General Plan, and Van Wycke Street is designated as a local street. Currently, the only sidewalk on Edwards Street is on the north side between Trinity and Hector Streets. Parking is restricted on Edwards Street between Ocean Avenue and Hector Street for approximately 140 ft. on the south side adjacent to the Trinidad Memorial Lighthouse site and 120 ft. on the north side, just west of Trinity Street. Parking has been limited in this area due to congestion that occurs in this scenic location.

In addition, there is no parking allowed along the south side of Edwards Street from the Memorial Lighthouse parking area west all the way to the Harbor. Parking does existing along the north side of Edwards for most of its length between Hector Street and Galindo Street. Van Wycke Street is too narrow to accommodate parking except for a small area just east of Galindo Street. No marked bike routes currently exist within the project area.

Analysis:

a) Finding: The project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not

limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. *Less than significant impact with mitigation*.

Discussion: The proposed pedestrian and bicycle improvements would provide increased opportunities and routes for safe non-motorized travel within the City. The project has been designed to meet the operational needs of adjacent and intersecting roads and trails and for a variety of potential users. Planning, design and implementation standards were derived from the current editions of the California Department of Transportation Highway Design Manual, Chapter 1000 "Multi-use Path Planning and Design", the U.S. Department of Transportation, Federal Highway Administration "Manual on Uniform Traffic Control Devices – California Supplement (CAMUTCD)" and the American Association of State Highway and Transportation Officials' (AASHTO) "Guide for Development of Bicycle Facilities."

Project activities would generate temporary construction-related traffic and lane/road closures, including: 1) passenger vehicles transporting construction and inspection workers to and from the site, 2) heavy trucks/haulers accessing the site to deliver materials and equipment remove debris, and 3) partial lane/road closures during construction. Very short duration closures of Edwards Street, with detours available, may be required for painting new crosswalks; other improvements will likely only require lane closures. One lane of travel can be kept open during most activities, as well as side streets, which will allow access to all areas of the community.

Project construction activities would have an anticipated duration of approximately 150 calendar days maximum (summer 2020), assuming five work days per week from the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and not on weekends except with permission from the City as needed to keep the project on schedule. Because of the temporary nature of project activities, including vehicle/truck trips and construction duration, project activities would not create a substantial increase in traffic on roads within the project area and on Highway 101.

Given the low traffic level on Trinidad roadways mid-week, and the availability of alternate routes for travel through Trinidad's residential neighborhood, the potential impacts to motor vehicles, pedestrians, and bicyclists would be minor. To ensure alternate routes remain open and accessible throughout construction, it will be necessary to implement a traffic control plan to ensure that detours are clearly indicated and traffic flow is maintained. Implementation of Mitigation Measure 8 (*Traffic Control Plan*) would reduce potentially significant impacts to less than significant.

The City's existing General Plan does not have many specific transportation policies. One of the primary goals at the time of its development was to maintain the rural nature of most roads in town without formal sidewalks and other improvements, which has remained the case throughout most of Trinidad. The Van Wycke Trail is identified on Plate 4 of the Trinidad General Plan (Circulation). The Draft Circulation Element (October 2018)

contains a number of policies related to alternative modes of transportation with which this project is in conformance (see below).

The proposed project would not increase vehicle traffic on City streets; in fact, the project could potentially decrease vehicle trips within the City by encouraging non-motorized travel. It would not conflict with effective circulation system performance or intersection level of service standards. Based on the above, the project: (1) would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system; (2) would take into account all modes of transportation, including mass transit and non-motorized travel; and (3) would take into account other components of the transportation system, such as intersections, streets, pedestrian paths, and bicycle paths.

Therefore, the proposed project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

b) Finding: The project will not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. ~~No~~*Less than significant impact.*

Discussion: The project area is not subject to a Congestion Management Program (CMP) and does not have a traffic congestion problem during weekday work hours, with all area streets and roads below capacity; therefore, there would be no impact. The proposed project will not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

c) Finding: The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. *No impact.*

Discussion: Due to the nature of the project, its limited size, and location (5.5 miles to the nearest airport), there is limited potential to impact air traffic patterns. Therefore, the project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

d) Finding: The project will not substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). *Less than significant impact.*

Discussion: The project would not change the geometry of the street or roadway network in Trinidad. The proposed improvements would be designed and built in compliance with FHWA and Caltrans standards. Therefore, no potentially hazardous roadway design features would be introduced by the project.

In 2001, FHWA conducted a case study to determine the effects of crosswalk markings on driver and pedestrian behavior. The studies showed that adding crosswalks reduced vehicular approach speeds by nearly 7% as well as reducing the speeds at the crosswalk by more than 20%. The study also found that when a marked crosswalk was added, driver yield increased by nearly 28%. In addition, the number of pedestrians walking within the marked crosswalk increased by 15%. Providing a defined road space for pedestrians, bicyclists and motorists helps to promote safe and orderly traffic flows as well as compliance with local traffic laws.

Addition of cross walks and signage will help address the lack of traffic control devices that are needed to warn drivers of the presence of pedestrians and bicyclists in the area. Therefore, the proposed project will not substantially increase hazards due to design features or incompatible uses.

e) Finding: The project will not result in inadequate emergency access. *Less than significant impact.*

Discussion: The project is located within the city limits of the City of Trinidad, on the west side of Highway 101. The project will not substantially alter the existing emergency access and the likelihood of a need for emergency services in this area is very low. Construction would primarily take place in the public ROW near the edge of pavement. This would allow emergency vehicles to pass without disruption. Highway 101 would not be affected by construction and operation of the project. During construction; however, temporary lane/road closures should be coordinated such that emergency access is maintained at all times.

The proposed project would be within and adjacent to existing street and trail systems. Emergency access to the project area already exists from these streets, and would continue to exist under the proposed project. Since the project corridor is already served by TVFD, CALFIRE and the County Sheriff, the project would not slow or hinder emergency response, the project would not require additional emergency services, and there would be emergency access to all project segments.

With implementation of TR-1 above, which addresses the maintenance of access to the police and fire departments, this potential access impact would be considered less than significant. Therefore, the proposed project will not result in inadequate emergency access.

f) Finding: The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. *Less than significant impact.*

Discussion: The project is designed to improve and encourage pedestrian and bicycle travel within existing rights-of-way. Also see discussion under "a" above. The proposed project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

General Plan goals, policies and standards met as part of the project:

Goal CIRC-4: Provide a pedestrian, bike and equestrian-friendly environment that allows Trinidad residents and visitors reasonable access to the City and its views, but also preserves the characteristics of Trinidad and the surrounding area.

Alternative Transportation Policies

CIRC-4.1 Provide for and develop pedestrian and bicycle facilities to serve the transportation and recreational needs of the residents. Where feasible, these can include benches and attractive, secure and accessible bike parking, etc.

CIRC-4.2 Provide safe and convenient pedestrian access to all areas of the City through routine maintenance and repair of sidewalks on the main arterial routes, so that visitors are encouraged to park vehicles in a centralized area and walk.

Program CIRC-4.2.1: Complete an assessment of pedestrian and bicycle needs as background information to prioritize allocation of funds consistent with the goal of increasing the safety, functional efficiency, interconnectivity, and capacity of pedestrian and bike routes. The level, design and quality of service for pedestrians and bicycles should be increased when expanding roadway capacity for motorized circulation. If road expansion is infeasible, the City should consider shared lane markings (sharrow). Road resurfacing projects should provide improved access and safety for bicycles.

Program CIRC-4.2.2: Published design standards, such as the Caltrans Highway Design Manual or equivalent, shall be used by the City Public Works Department for the design and construction of pedestrian and bicycle paths. All new hard surfaced walkways shall be ADA accessible. Existing hard surfaced walkways should be

improved to be ADA accessible when funding is available or when development projects occur on adjacent parcels.

CIRC-4.4 Install sidewalks only where necessary for pedestrian safety. Limiting sidewalk installation and street improvements helps retain the present undeveloped right-of-ways and will preserve its rural character.

CIRC 4.5 Apply special paving at major intersections and crosswalks along enhanced corridors to create a visual focal point and slow traffic speeds.

CIRC-4.6 Design new and, when necessary, retrofit existing streets to improve walkability, bicycling, and transit integration; strengthen connectivity; and enhance community identity through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture.

CIRC-4.8 Support the Coastal Conservancy's 'Completing the California Coastal Trail project (SB 908) and encourage trails and connectors.

CIRC-4.9 Pursue opportunities to provide transportation corridor linkages for pedestrian trails and bike routes as well as scenic recreational routes. Linkages that should be considered include the Hammond Trail and Pacific Coast Bicycle Route (CONS-20.5)

Mitigation Measures

Mitigation Measure 8: 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:

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

With implementation of Mitigation Measure 8, potential impacts on traffic circulation attributable to the project would be reduced to a less than significant level.

17. TRIBAL CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource Listed or Eligible for Listing in the California Register of Historical Resources, or in a Local Register of Historical Resources as Defined in Public Resources Code Section 5020.1(k).		X		
b) Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource Determined by the Lead Agency to be Significant Pursuant to Criteria Set Forth in Subdivision (c) of Public Resources Code Section 5024.1.		X		

Archaeological and other heritage resources can be damaged or destroyed through uncontrolled public disclosure. Archaeological site locations and culturally sensitive information is considered confidential and public access to such information is restricted by state and federal law, therefore, this information has been redacted for use in the Mitigated Negative Declaration (MND). Professionally qualified individuals, as determined by the California Office of Historic Preservation, may contact the lead agency directly in order to inquire about its availability.

Information regarding the location, character or ownership of a historic resource is exempt from the Freedom of Information Act pursuant to 16 U.S.C. 470w-3; Section 304 of the National Historic Preservation Act, 36 CFR 800(6)(a)(5) and 36 CFR 800.11(c); Section 9(a) of the Archaeological Resources Protection Act; Executive Order 13007; Section 6254.10 and GC 6254(r) of the California State Government Code and the California Public Records Act (CPRA); and the 2005 California Senate Bill 922.

Setting:

The City of Trinidad lies within the traditional territory of the Yurok Indians who lived within the Trinidad Head area and the ancestral village of Tsurai. The proposed project area along the Edwards and Van Wycke Streets lies close to the known Yurok Village site of Tsurai. The surrounding areas, including all of the Trinidad townsite and Trinidad Head, as well as, the coastal margin to the north and south are part of an associated cultural landscape with immeasurable significance to the Yurok people, who are now part of the Trinidad Rancheria, Tsurai Ancestral Society, and Yurok Tribe. There are currently recorded archeological sites within the Trinidad area. Qualified professionals can refer to

the 2018 Cultural Resources Investigation Report by WRA (2018) for further details regarding archaeological sites.

The Ancestral village of Tsurai is situated within Yurok ancestral territory, as well as within the larger cultural landscape of the Yurok people. The surrounding landscape, particularly Trinidad Head, is central to Yurok creation stories and oral tradition. Yurok oral history identifies Tsurai and its surrounding landscape, as areas of profound significance to Yurok culture. Yurok creation stories recorded by Kroeber recount the story of Tsurewa Man and his role in the creation of the Yurok world. The Yurok Tribe considers Tsurai Village and Trinidad Head to be sacred sites, as well as areas of archaeological and cultural significance. Under national guidelines for identifying historic properties/resources, both the village of Tsurai and Trinidad Head would be considered Traditional Cultural Properties for purposes of the National Register and as Tribal Cultural Resources for the purposes of CEQA (WRA 2018).

Tsurai Village, Trinidad Head, the sea stacks, and other landscape features within the Trinidad viewshed are components of the Yurok cultural landscape embedded with deep cultural significance to Yurok people. This relationship and significance are well documented in both Yurok oral history and early ethnographic research. The Trinidad area continues to be of important cultural and spiritual significance to contemporary Yurok people (WRA, 2018).

a) Finding: The project will not Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource Listed or Eligible for Listing in the California Register of Historical Resources, or in a Local Register of Historical Resources as Defined in Public Resources Code Section 5020.1(k). *Less than significant impact with mitigation*.

Discussion: Because of the cultural significance and sensitivity of the entire Trinidad area, there is a risk of encountering Native American resources and/or impacting a Tribal Cultural Resource.

An Archaeological Survey Report for the project was completed by William Rich & Associates (WRA) in November 2018. The investigation analyzed the impacts of the project on Tribal Cultural Resources and stated on Page 12, "*Under national guidelines for identifying historic properties/resources, both the village of Tsurai and Trinidad Head would be considered Traditional Cultural Properties for purposes of the National Register and as Tribal Cultural Resources for the purposes of CEQA*." The project area does not include the Tsurai Village or Trinidad Head; however, it is recognized that areas well outside of the Village proper were part of the normal use and activities associated with the Village.

Multiple cultural resources have been recorded as a result of the studies in the Trinidad area, however none are located directly within the project area (WRA 2018). The Northwest Information Center has no records of cultural resources within the proposed project area. Twenty archaeological sites are, however, located within the ½ mile buffer.

Three of these sites are located in close proximity to the subject trail, including archaeological materials associated with the village of Tsurai on Trinidad Bay.

Although no specific Native American or historic period archaeological sites are known directly in the project area, it is anticipated that such deposits exist. The Trinidad Rancheria, Tsurai Ancestral Society, and the Yurok Tribe have indicated that ceremonial places and ethnographic landscapes, such as the village of Tsurai and surrounding areas; particularly, Trinidad head are areas of profound spiritual significance to Yurok culture.

Page 23 of the WRA Cultural Investigation notes that on the afternoon of April 5, 2018, Mr. Rich met and walked the proposed project area with the Trinidad Rancheria's Tribal Historic Preservation Officer (THPO) Rachel Sundberg. Ms. Sundberg indicated that, "*all ground disturbance should be monitored, and acknowledged that significant cultural resources in Trinidad extend well beyond the recorded boundaries of the Tsurai archaeological site and encompass an unbound cultural landscape associated with Trinidad head, Trinidad townsite and terrace*." In speaking with Ms. Lindgren-Akana of the Tsurai Ancestral Society, she indicated that, "*all ground disturbing work should be closely monitored by tribal members with Tsurai ancestry*."

Additional concerns were expressed during a site visit on June 13, 2018, that included Yurok THPO Frankie Meyers and Yurok Councilmember Toby Vanlandingham. WRA (2018) summarizes some of their comments and concerns as follows:

> "*Mr. Myers and Councilman Vanlandingham both expressed concern for the sizeable impact to the landscape required to construct this section of trail on this unstable slope and Mr. Myers stated that he would rather see the trail on existing roads, or at least farther from the continually eroding edge of this landform. The representatives asked that project proponents consider the need of having this 100-foot stretch of trail in this specific location relative to the rather substantial impacts to the landscape and a known area of Yurok habitation. These representatives stated that they did not want to see a trail installed in this location, because the impact far outweighs the benefit of having the trail here. Councilman Vanlandingham expressed that this was too much money to spend on a project that would likely disturb cultural items, and quickly erode anyway. Additionally, the large retaining wall would likely be visible from the ocean, obstructing the viewshed.*"

An alternative of moving the trail upslope as far as possible depending on the City's ability to acquire private property or public access easements was discussed. Mister Myers and Councilman Vanlandingham expressed interest in this idea, provided that the potential upslope trail design includes above-ground construction, that would not impact resources in this area of affect the viewshed.

The Yurok Cultural Committee also expressed some concerns at a meeting, which took place on June 22, 2018 (see page 25 of the WRA Cultural Investigation Report):

> "*The council passed a motion requesting that the proposed trial alignment along Van Wycke Street be abandoned and that an alternative route along Edwards and Galindo Street replace it.*

> *Furthermore, the existing footpath along Van Wycke Street should be "put to rest" and its use should be discontinued. The council agreed that new replacement utilities should be installed in a more stable are elsewhere, but requested that the existing utilities be closed off and left in place, rather than removed. Furthermore, the Council requested that the trail project be designed to limit ground disturbing activities to be a minimal as possible."*

Several of these requests, such as relocating existing utilities, and closing the Galindo Trail are outside the scope of this project and this environmental analysis. In addition, abandoning the failing trail and rerouting pedestrian traffic along Edwards and Galindo would not meet the project objectives and is also outside the scope of this environmental analysis, because a different process and a different set of analyses would be required, including an LCP amendment. The City will continue to consult with the Yurok Tribe, Trinidad Rancheria and Tsurai Ancestral Society throughout the processing of this project, including discussion of alternatives and the development of the final designs and any required permitting.

There is a possibility that historic resources, including buried archaeological materials, do exist in the area and may be uncovered during proposed project activities. All three tribal groups have requested Native American monitoring during project implementation; it is recommended that Yurok tribal monitor(s) from the Trinidad Rancheria, Tsurai Ancestral Society, or Yurok Tribe be present during any ground disturbing activities associated with this project. Tribal monitor(s) should have experience monitoring for Yurok tribal cultural resources during excavation projects and should be competent to identify significant resource types and have the ability to stop work when needed.

Including monitors to observe identify and direct equipment from destroying unknown, but anticipated, archaeological sites at the proposed project area will mitigate potential inadvertent damage. It is recommended that a monitoring plan with directives, in the event human remains are discovered, be developed and approved by the Trinidad Rancheria, Tsurai Ancestral Society, and Yurok Tribe prior to the beginning of work.

Although no Tribal Cultural Resources were identified within or immediately adjacent to the Project area, and therefore, the proposed Project would not result in a significant impact to known Tribal Cultural Resource Determined by the Lead Agency to be Significant, it is recommended that the City of Trinidad continue consultation and seek approval of this inadvertent discovery plan before final permit approval. Impacts to unknown Tribal Cultural Resources that may be discovered during project construction would be less than significant with the incorporation of Mitigation Measure 3 (*Cultural Resource Protection Measures*) in Section 5 Cultural Resources.

As such, the WRA Cultural Investigation Report contains the following conclusion on Page 26, "*the finding of this investigation, based on research and a surface survey is that, although much of the Survey area is obscured by pavement, no historic properties will be affected within the proposed project area. WRA believes that the survey is adequate to identify any potential surface*

archaeological resources within the project area that would qualify for the NRHP." Therefore, the proposed project will not cause a substantial adverse change in the significance of a Tribal Cultural Resource Listed or Eligible for Listing in the California Register of Historical Resources, or in a Local Register of Historical Resources.

b) Finding: The project will not cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource Determined by the Lead Agency to be Significant Pursuant to Criteria Set Forth in Subdivision (c) of Public Resources Code Section 5024.1. *Less than significant impact with mitigation*.

Discussion: Multiple cultural resources have been recorded as a result of the studies in the Trinidad area, "*however none are located directly within the project area*" according to Page 2 of the WRA Cultural Investigation. The Northwest Information Center has no records of cultural resources within the proposed project area. The entire project area is, however, within a general location of cultural significance associated with the larger use areas of Tsurai Village, and the historical townsite of Trinidad. It is expected that historic period and ancient Native American archaeological deposits are present.

Although no Tribal Cultural Resources were identified within or immediately adjacent to the Project area, and therefore, the proposed Project would not result in a significant impact to known Tribal Cultural Resource Determined by the Lead Agency to be Significant, it is recommended that the City of Trinidad continue consultation and seek approval of this inadvertent discovery plan before final permit approval. Impacts to unknown Tribal Cultural Resources that would be less than significant with the incorporation of Mitigation Measure 3 in Section 5 Cultural Resources. Also see discussion under 'a' above.

Mitigation Measures:
Implement Mitigation Measure 3 in Section 5 Cultural Resources.

18. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			~~X~~	X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			~~X~~	X

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed)?			X	
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Violate any federal, state, and local statutes and regulations related to solid waste?			X	

Setting:

Wastewater
The City of Trinidad does not have a centralized sewer system, and instead relies entirely on individual on-site wastewater treatment systems (OWTS). There are no plans to build a centralized sewer system in Trinidad, so land uses are limited to those that are compatible with the use of an OWTS based on lot sizes. The City does have an OWTS Management Program that requires operating permits for all OWTS in the City, which are conditioned on periodic inspections and maintenance.

Stormwater
Stormwater originating in the central portion of the City of Trinidad watershed is routed through a series of roadside ditches, drain inlets, and culverts to the stormwater outfall in the Harbor. Some areas, such as Wagner Street, have no curbs or drain inlets, so drainage is generally south towards the bluff areas or towards Parker Creek. The City is currently in the process of upgrading the stormwater system to comply with the Phase II Small MS4 General Permit requirements as well as the Construction General Permit requirements and ASBS discharge prohibitions of the State Water Resources Control Board (SWRCB). The intent is to appropriately infiltrate all the stormwater and eliminate the discharge into Trinidad Bay.

Water Service
The City of Trinidad operates a municipal water supply system that services the occupied parcels within the City and a number of properties outside the City limits. Potable water

for the City system is currently supplied from Luffenholtz Creek located two miles south of the City. The water system includes an infiltration gallery, water treatment plant and several storage tanks. The City also has some limited unused water rights on Mill Creek.

Solid Waste
Trinidad currently contracts with Humboldt Sanitation and Recycling for curb-side garbage pickup and recycling for residents and businesses within the City. Most refuse is transferred to a municipal transfer station and then hauled out of state where it is disposed in, for example, the Dry Creek landfill in Oregon. There is no local landfill since the Cummings Road landfill reached capacity.

Analysis:

a) Finding: The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. *No impact.*

Discussion: The proposed pedestrian and bicycle improvements would not involve construction or use of facilities that generate wastewater. Therefore, the proposed project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

b) Finding: The project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. *No impact.*

Discussion: The proposed pedestrian and bicycle improvements would not require water or generate wastewater and therefore do not involve construction of or improvements to water or wastewater facilities. Therefore, the proposed project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

c) Finding: The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. *Less than significant impact.*

Discussion: Where existing storm drainage facilities exist adjacent to the improvements, short extensions or modifications to the inlets would allow runoff to enter the existing storm drain system. Where new paving or new surface work would occur over existing utilities, all necessary elements (such as existing valve boxes, manhole lids, electrical vaults, etc.) would be raised to the new finished elevation as necessary. Because the final configuration of the trail is not known at this time, drainage from that portion of the project has not yet been addressed. However, due to the proximity near the bluff, drainage will likely be directed downhill rather than to new or modified facilities. Because large-scale expansion of existing drainage facilities would not be required, the proposed project would not

require the construction of drainage facilities that would cause significant environmental effects. Therefore, the proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

d) Finding: The project will not have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed). *Less than significant impact.*

Discussion: The proposed improvements do not require water supply, and would not increase the capacity of or demand on the City's water system. Therefore, the proposed project will not have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed).

e) Finding: The project will not result in a determination by the wastewater treatment provider which services or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. *Less than significant impact.*

Discussion: The proposed pedestrian and bicycle improvements would not involve construction or use of facilities that generate wastewater. Therefore, the project would not result in a determination by the wastewater treatment provider which services or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

f) Finding: The project will not be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs. *Less than significant impact.*

Discussion: The project would generate a small volume of construction waste that would be hauled by the construction contractor to an approved disposal site. Waste would include construction materials remnants, replaced materials, and worker-generated trash and debris. This would be a less than significant impact on landfill capacity with the adherence to federal, state, and local statutes and regulations related to solid waste. Therefore, the proposed project will not be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.

g) Finding: The project will not violate any federal, state, and local statutes and regulations related to solid waste. *Less than significant impact.*

Discussion: The project would generate a small volume of construction waste that would be hauled by the construction contractor to an approved disposal site. Waste would include construction materials remnants, replaced materials, and worker-generated trash and debris. This would be a less than significant impact on landfill capacity with the adherence to federal, state, and local statutes and regulations related to solid waste.

Therefore, the proposed project will not violate any federal, state, and local statutes and regulations related to solid waste.

Mitigation Measures:
None proposed.

19. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).			X	
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Analysis:

a) Finding: The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. *Less than significant impact.*

Discussion: Based on the analysis contained in this document and with implementation of the proposed Mitigation Measures presented herein, the project as a whole does not have

the potential to significantly degrade the quality of the environment, including air quality, fish or wildlife species or their habitat, plant or animal communities, important examples of the major periods of California history or prehistory, or other adverse effects, either directly or indirectly.

b) Finding: The project will not have impacts that are individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects). *Less than significant impact.*

Discussion: The project's individual impacts would not add appreciably to any existing or foreseeable future significant cumulative impact, such as visual quality, historic resources, traffic impacts, or air quality degradation. Incremental impacts, if any, would be negligible and undetectable. Cumulative impacts to which this project would contribute would be mitigated to a less than significant level. In fact, the project has been designed to reduce some of the cumulative impacts of increased vehicular use that have occurred over time with development in Trinidad.

Based upon the project as proposed and mitigated, comments from reviewing agencies, and the project's conformance with applicable regulations, there is no evidence to indicate that the proposed project will have impacts that are individually limited but cumulatively significant.

c) Finding: The project will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly. *Less than significant impact.*

Discussion: As discussed in Checklist Sections 3 (Air Quality), 5 (Geology and Soils), 7 (Greenhouse Gas Emissions), 8 (Hazards and Hazardous Materials), 9 (Hydrology and Water Quality), 10 (Land Use and Planning), 12 (Noise), 13 (Population and Housing), 14 (Public Services), 15 (Recreation), 16 (Transportation/Traffic), and 18 (Utilities and Service Systems) of this document, the project would not expose persons to significant impacts related to air quality, seismic or geologic hazards, greenhouse gas emissions, hazards or hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, transportation/traffic hazards, and the provision of utility services to people.

These impacts were identified to have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated. In addition, the project was designed to improve opportunities for alternative transportation that could benefit public health and safety. Therefore, the proposed project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, based on the analysis contained in the Initial Study prepared for the project.

~~20.~~ **SOURCE/REFERENCE LIST**: The following documents and their references were used in the preparation of this Initial Study. The documents are available for review at City Hall, 409 Trinity Street weekdays from 9 a.m. to 2 p.m. and/or online.

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~~21.~~ MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

Section 1 – Aesthetics	
Mitigation Measure A-1 – Vegetative Screening. Vegetative screening using site appropriate native plants will be used to soften the retaining wall. The planting plan will be included as part of the CDP/DR application and approved by the Planning Commission.	
Timing for Implementation/Compliance:	At the time of CDP/DR permit application.
Person/Agency Responsible for Monitoring:	City Planner, and City Engineer.
Monitoring Frequency:	Plans reviewed once during project review and once after construction.
Evidence of Compliance:	Issuance of CDP/DR and site inspections.

Section 4 – Biological Resources	
Mitigation Measure 2 – Biological Resource Protection Measures. 1. If construction activities occur during the nesting season (February 1 – August 15), a nesting bird survey shall be conducted prior to removal of woody vegetation. 2. Construction limits will be demarcated with temporary construction fencing, by a qualified professional, to exclude coastal bluff scrub dominated with native vegetation to the extent practical in order to avoid accidental encroachment into those areas. 3. Disturbed areas along the project right-of-way will be re-seeded with native, locally sourced vegetation that is compatible with the local coastal environment. 4. If any coastal bluff scrub habitat is disturbed, it will be replaced at a ratio of 3:1 (for every unit area disturbed, three times that area will be created or restored). This can include restoration of areas that don't currently qualify as ESHA. 5. Non-native plant species will be removed within the project area to the fullest extent feasible without causing further disturbance to the surrounding habitat.	
Timing for Implementation/Compliance:	During and after construction.

Person/Agency Responsible for Monitoring:	Contractor, City Manager, Qualified Professional.
Monitoring Frequency:	Plans reviewed once. During construction activities. For any ESHA restoration, monitoring and adaptive management will occur for at least 3 years.
Evidence of Compliance:	Site inspections. Annual Reports.

Section 5 – Cultural Resources

Mitigation Measure 3 – Cultural Resource Protection Measures

1. A Monitoring Plan / NAGPRA Plan of Action shall be put in place prior to permit approval, thereby setting up a formal agreement between stakeholders regarding the plan for items discovered and excavated dirt removed during project construction. The plan will be developed with input from the Yurok Tribe, Trinidad Rancheria, and the Tsurai Ancestral Society.
2. Any grading or earthwork activities within the project area shall be monitored by tribally appointed monitor(s).
3. Cultural resource monitors shall 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 will be delayed until an archaeologist, qualified to the Secretary of Interior Standards, has assessed the significance of the find.
4. The cultural resource monitor(s) shall be kept informed by the contractor of the ground disturbance schedule. Field notes shall be kept by the monitor(s) and a brief letter report of the monitoring effort filed with the Northwest Information Center.

Timing for Implementation/Compliance:	At the time of CDP/DR application. During ground disturbing activities.
Person/Agency Responsible for Monitoring:	City Manager, Contractor, Tribal Representative, and Professional Archaeologist.

Monitoring Frequency:	Ongoing. During ground disturbing activities.
Evidence of Compliance:	CDP approval. Site inspections.

Section 6 – Geology and Soils	
Mitigation Measure 4 – Erosion Control. An erosion control plan will be included as part of the Grading Permit application. At a minimum the following erosion control actions shall be included in the plan and 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	
Timing for Implementation/Compliance:	At the time of CDP/Grading Permit application.
Person/Agency Responsible for Monitoring:	City Engineer, Contractor.
Monitoring Frequency:	Plans reviewed once. During construction activities.
Evidence of Compliance:	Issuance of CDP and Grading Permit and site inspections.

Section 9 – Hydrology and Water Quality

Mitigation Measure 5 - Construction BMPs

- 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.
- 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.
- All construction equipment shall be equipped and maintained to meet applicable EPA and CARB emission requirements for the duration of construction activities.
- Throughout construction, contractor shall maintain adjacent paved areas free of visible soil, sand or other debris.
- 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.
- Drainage courses, creeks, or catch basins shall be protected with straw bales, silt fences, and/or straw wattles.
- 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.
- Vehicle and equipment parking and vehicle maintenance shall be conducted in designated areas away from creeks or storm drain inlets.
- Major maintenance, repair, and washing of vehicles and other equipment shall be conducted offsite or in a designated and controlled area.
- Construction debris, plant and organic material, trash, and hazardous materials shall be collected and properly disposed.

Timing for Implementation/Compliance:	During Construction
Person/Agency Responsible for Monitoring:	City Engineer, City Manager Contractor.
Monitoring Frequency:	Plans reviewed once. During construction activities.
Evidence of Compliance:	Site inspections.

Mitigation 6 – Construction Dewatering Protocol: 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.

Timing for Implementation/Compliance:	At the time of CDP / grading permit application, and during construction.
Person/Agency Responsible for Monitoring:	City Engineer and Contractor.
Monitoring Frequency:	Plans reviewed once. During construction activities.
Evidence of Compliance:	Issuance of CDP/Grading Permit and site inspections.

Section 12 – Noise

Mitigation Measure 7 – 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 7:00 a.m. to 6:00 p.m. Monday through Friday, unless other hours are specified by the City Engineer. 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.

Timing for Implementation/Compliance:	At the time of CDP application and during construction.
Person/Agency Responsible for Monitoring:	City Manager, City Engineer and Contractor.
Monitoring Frequency:	Plans reviewed once. During construction activities.
Evidence of Compliance:	Issuance of CDP and site inspections.

Section 16 – Traffic

Mitigation Measure 8: 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:

- Adherence to City and Caltrans traffic management standards.
- Location(s) of designated project construction staging area(s) for equipment/materials storage and construction worker parking.
- Temporary replacement parking for residents during the construction period, if needed.
- Detour routes will be used in order to maintain access throughout the City and to the coastline during project construction.
- Use of flagging and signage during construction of the retaining wall improvements, materials delivery, and/or movement of construction equipment in any private or public roadway.

• Provisions to maintain unobstructed access for law enforcement, fire department, or other official or emergency personnel and vehicles.	
Timing for Implementation/Compliance:	Prior to construction.
Person/Agency Responsible for Monitoring:	City Engineer, City Manager and Contractor.
Monitoring Frequency:	Plans reviewed once. During construction activities.
Evidence of Compliance:	Issuance of construction contract and site inspections.

ATTACHMENT 1

Vicinity Map

IS-MND Figure 1

\\Arcata\Projects\2017\017105A-VW-Trail-Rpr\GIS\PROJ_MXD\ USER: jsousa DATE: 10/30/18, 2:45PM

SHN Consulting Engineers & Geologists, Inc.

City of Trinidad
Van Wycke Bicycle & Pedestrian Connectivity Project
Trinidad, California

Project Location

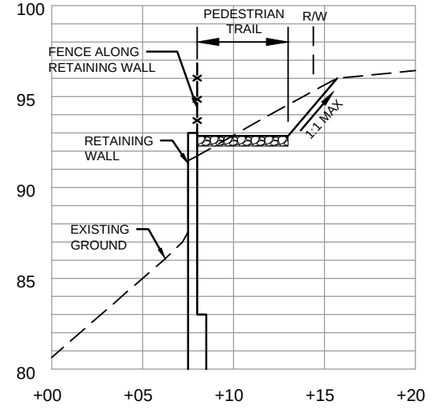
SHN 017105

October 2018 | BPCP_Fig1_ProjectLocation | Figure 1

ATTACHMENT 2

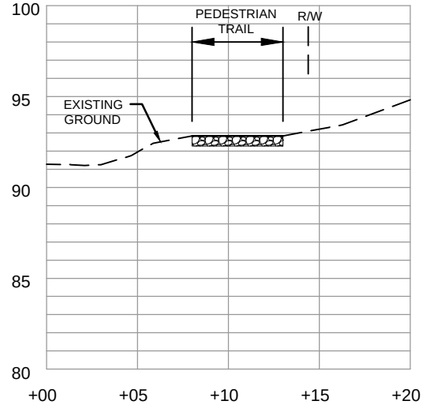
Conceptual Plans

GHD Presentation Figure 2a



TYPICAL SECTION
PEDESTRIAN TRAIL AT RETAINING WALL

SCALE: NTS



TYPICAL SECTION
PEDESTRIAN TRAIL

SCALE: NTS

TYPICAL SECTION
EDWARDS STREET

SCALE: NTS

City of Trinidad

1"=120' 0 120' 240'

(GRAPHICAL SCALE IN FEET)

GHD

VAN WYCKE BICYCLE AND PEDESTRAIN CONNECTIVITY PROJECT
PROPOSED SCOPE CHANGE
CITY OF TRINIDAD

Job Number 0106307001
Revision 1
Date JAN 2017

Figure 2a

Plot Date: 18 January 2017 - 4:26 PM Cad File No: G:\111\11140082 Trinidad-Van Wyke Trail Assist\06-CAD\Figures\VanWyke_Trail_Concept-Fig2A.dwg

ATTACHMENT 3

Conceptual Renderings / Vegetative Screening

VIEW LOOKING UPHILL

EXISTING VIEW

SOLDIER PILE WITH FENCE

VIEW LOOKING DOWNHILL

EXISTING VIEW

SOLDIER PILE WITH FENCE

ATTACHMENT 4

NRCS Brief Soils Report

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Humboldt and Del Norte Area, California

Van Wycke Pedestrian and Bicycle Improvement Project

December 12, 2018

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map

Map Scale: 1:3,270 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 45 90 180 270

Feet: 0 150 300 600 900

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Humboldt and Del Norte Area, California
Survey Area Data: Version 12, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Oct 11, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
146	Halfbluff-Tepona-Urban Land, 2 to 9 percent slopes	17.3	35.9%
157	Oxyaquic Udipsamments-Samoa complex, 0 to 50 percent slopes	6.2	12.8%
299	Candymountain, 30 to 75 percent slopes	18.3	38.0%
Totals for Area of Interest		**48.2**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Humboldt and Del Norte Area, California

146—Halfbluff-Tepona-Urban Land, 2 to 9 percent slopes

Map Unit Setting

National map unit symbol: 2dh7x
Elevation: 10 to 120 feet
Mean annual precipitation: 35 to 90 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 275 to 325 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Tepona and similar soils: 40 percent
Halfbluff and similar soils: 35 percent
Urban land, residential: 15 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Tepona

Setting

Landform: Marine terraces
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Marine deposits derived from sedimentary rock

Typical profile

Oi - 0 to 0 inches: slightly decomposed plant material
A - 0 to 11 inches: sandy loam
Bw - 11 to 35 inches: fine sandy loam
Bw - 35 to 41 inches: fine sandy loam
C - 41 to 64 inches: loamy fine sand

Properties and qualities

Slope: 2 to 9 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: About 30 to 39 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Moderate (about 8.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: C
Ecological site: Sitka spruce-redwood/salal/western brackenfern, marine terraces, marine deposits, fine sandy lo (F004BX118CA)

Other vegetative classification: Forest Type IV, coastal (RNPF004CA)
Hydric soil rating: No

Description of Halfbluff

Setting

Landform: Marine terraces
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Marine deposits derived from sedimentary rock

Typical profile

A - 0 to 23 inches: loam
Bw - 23 to 37 inches: fine sandy loam
C - 37 to 71 inches: fine sand

Properties and qualities

Slope: 2 to 9 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: About 20 to 39 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Moderate (about 8.7 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: B/D
Ecological site: Sitka spruce-redwood/salal/western brackenfern, marine terraces, marine deposits, fine sandy lo (F004BX118CA)
Other vegetative classification: Forest Type IV, coastal (RNPF004CA)
Hydric soil rating: No

Description of Urban Land, Residential

Setting

Landform: Alluvial fans
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Convex

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8
Hydric soil rating: No

Minor Components

Talawa

Percent of map unit: 5 percent

Landform: Marine terraces
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Tread
Down-slope shape: Concave
Across-slope shape: Concave
Hydric soil rating: Yes

Tillas

Percent of map unit: 3 percent
Landform: Alluvial fans
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Convex
Hydric soil rating: No

Hookton

Percent of map unit: 2 percent
Landform: Erosion remnants
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

157—Oxyaquic Udipsamments-Samoa complex, 0 to 50 percent slopes

Map Unit Setting

National map unit symbol: 1j90p
Elevation: 0 to 70 feet
Mean annual precipitation: 35 to 80 inches
Mean annual air temperature: 50 to 55 degrees F
Frost-free period: 275 to 330 days
Farmland classification: Not prime farmland

Map Unit Composition

Oxyaquic udipsamments and similar soils: 65 percent
Samoa and similar soils: 25 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Oxyaquic Udipsamments

Setting

Landform: Beaches
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear

Across-slope shape: Linear
Parent material: Beach sand and gravel derived from mixed sources

Typical profile
C1 - 0 to 22 inches: fine sand
C2 - 22 to 60 inches: fine sand

Properties and qualities
Slope: 0 to 20 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (6.00 to 20.00 in/hr)
Depth to water table: About 20 to 39 inches
Frequency of flooding: Very frequent
Frequency of ponding: None
Salinity, maximum in profile: Strongly saline (48.0 mmhos/cm)
Available water storage in profile: Low (about 3.6 inches)

Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8
Hydrologic Soil Group: A/D
Hydric soil rating: No

Description of Samoa

Setting
Landform: Dunes
Landform position (two-dimensional): Shoulder, backslope, summit
Landform position (three-dimensional): Tread
Down-slope shape: Linear, convex
Across-slope shape: Linear, convex
Parent material: Eolian and marine sand derived from mixed sources

Typical profile
C1 - 0 to 17 inches: sand
C2 - 17 to 63 inches: sand

Properties and qualities
Slope: 0 to 50 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Somewhat excessively drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Low (about 3.6 inches)

Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Clambeach

Percent of map unit: 10 percent
Landform: Deflation basins
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Tread
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: Yes

299—Candymountain, 30 to 75 percent slopes

Map Unit Setting

National map unit symbol: 2lcyt
Elevation: 10 to 600 feet
Mean annual precipitation: 35 to 90 inches
Mean annual air temperature: 50 to 55 degrees F
Frost-free period: 275 to 325 days
Farmland classification: Not prime farmland

Map Unit Composition

Candymountain and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Candymountain

Setting

Landform: Bluffs, marine terraces
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Marine deposits derived from mixed

Typical profile

A - 0 to 24 inches: fine sandy loam
Bw - 24 to 37 inches: fine sandy loam
C - 37 to 64 inches: loamy fine sand

Properties and qualities

Slope: 30 to 75 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None

Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Moderate (about 8.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e
Hydrologic Soil Group: B
Hydric soil rating: No

Minor Components

Ladybird

Percent of map unit: 5 percent
Landform: Mountain slopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Mountainflank
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: Sitka spruce-red alder/salmonberry/western swordfern, hills, sandstone and mudstone, clay l (F004BX110CA)
Other vegetative classification: Forest Type IV, coastal (RNPF004CA)
Hydric soil rating: No

Footstep

Percent of map unit: 3 percent
Landform: Mountain slopes
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Mountainflank
Down-slope shape: Convex
Across-slope shape: Convex
Ecological site: Redwood, western swordfern, mountain slopes, sandstone and schist, clay loa (F004BX108CA)
Other vegetative classification: Forest Type IV, coastal (RNPF004CA)
Hydric soil rating: No

Houda

Percent of map unit: 3 percent
Landform: Hillslopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: Sitka spruce-red alder/salmonberry/western swordfern, hills, sandstone and mudstone, clay l (F004BX110CA)
Hydric soil rating: No

Cannonball

Percent of map unit: 2 percent
Landform: Marine terraces
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Redwood-Sitka spruce/salal-California huckleberry/western swordfern, marine terraces, marine deposits, sandy loam an (F004BX121CA)

Hydric soil rating: No

Hutsinpillar

Percent of map unit: 2 percent
Landform: Drainageways, marine terraces
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Hydric soil rating: Yes

ATTACHMENT 5

Trinidad Zoning Map

SHN Biological Report Figure 3

EXPLANATION

STUDY AREA

ZONING

- OS - OPEN SPACE
- SE - SPECIAL ENVIRONMENT
- SR - SUBURBAN RESIDENTIAL
- UR - URBAN RESIDENTIAL
- PD - PLANNED DEVELOPMENT
- C - COMMERCIAL
- VS - VISITOR SERVICES
- PR - PUBLIC & RELIGIOUS

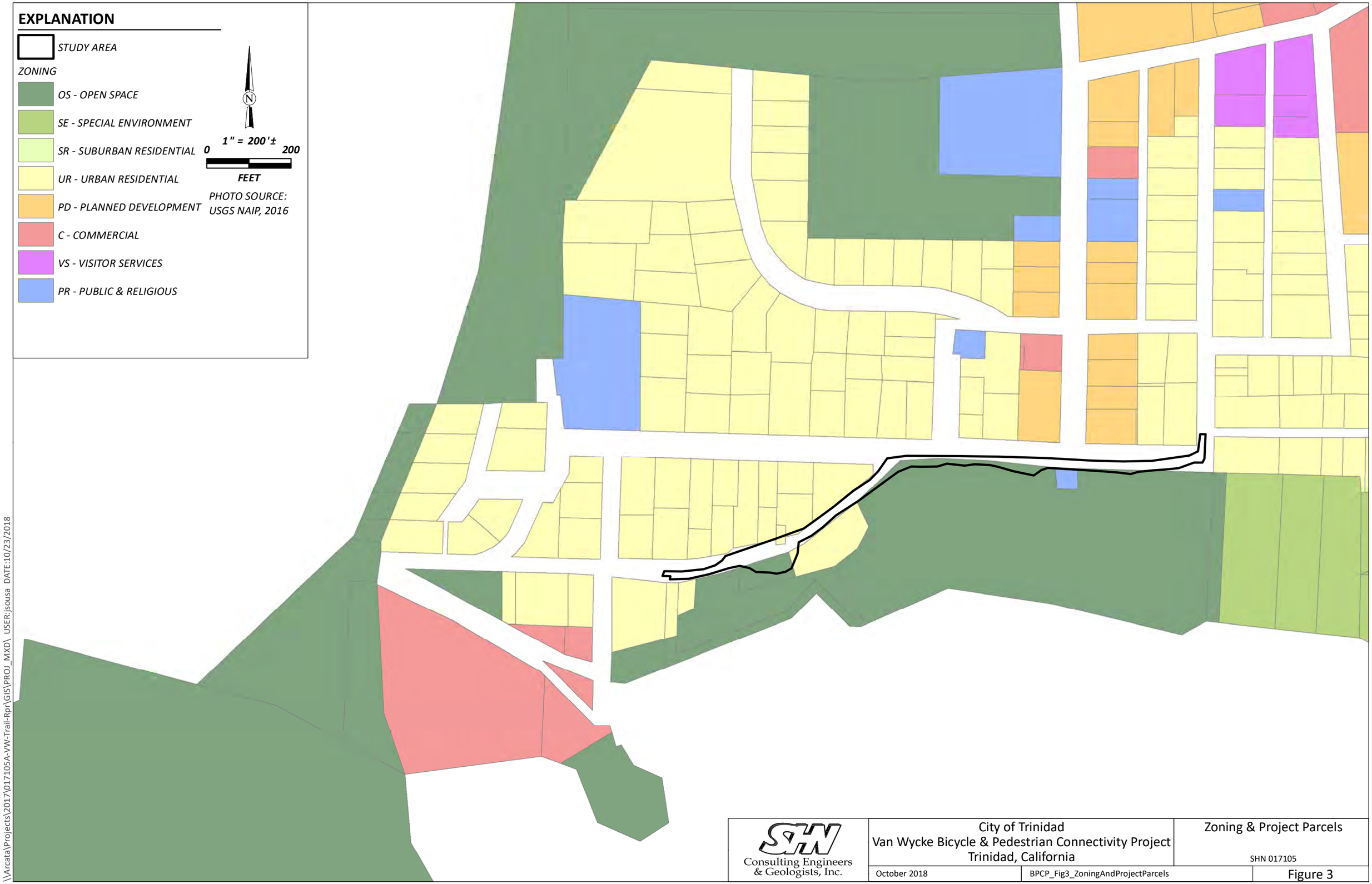
N

1" = 200'±

0 200

FEET

PHOTO SOURCE:
USGS NAIP, 2016



Consulting Engineers & Geologists, Inc.	City of Trinidad Van Wycke Bicycle & Pedestrian Connectivity Project Trinidad, California	Zoning & Project Parcels SHN 017105
	October 2018 / BPCP_Fig3_ZoningAndProjectParcels	Figure 3

\\Arcata\Projects\2017\017105A-VW-Trail-Rpr\GIS\PROJ_MXD\ USER:jsousa DATE:10/23/2018

ATTACHMENT 6

ESHA Locations

SHN Biological Report Figure 2

EXPLANATION

- STUDY AREA
- TRINIDAD CITY LIMITS
- COASTAL BRAMBLES

PHOTO SOURCE:
USGS NAIP, 2016

PACIFIC OCEAN

MAIN ST.

TRINITY ST.

OCEAN AVE.

HECTOR ST.

WAGNER ST.

EDWARDS ST.

GALINDO ST.

VAN WYCKE ST.

TRINIDAD BAY

N

1" = 200'±

0 200

FEET

\\Arcata\Projects\2017\017105A-VW-Trail-Rpr\GIS\PROJ_MXD\ USER:jsousa DATE:10/31/2018

Consulting Engineers & Geologists, Inc.

City of Trinidad
Van Wycke Bicycle & Pedestrian Connectivity Project
Trinidad, California

Study Area

SHN 017105

October 2018 | BPCP_Fig2_StudyArea | Figure 2

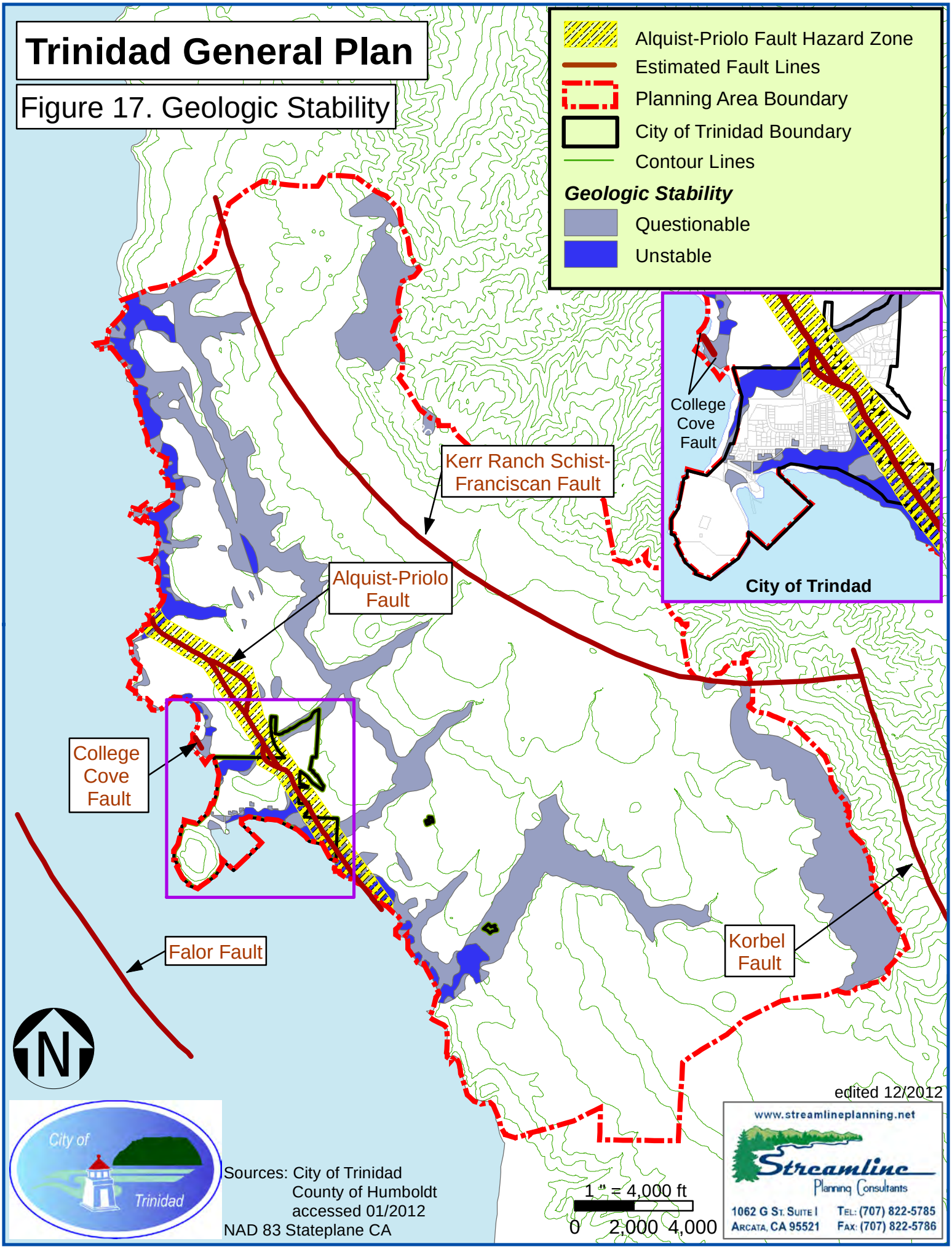
ATTACHMENT 7

Fault Map

Draft General Plan Figure 17

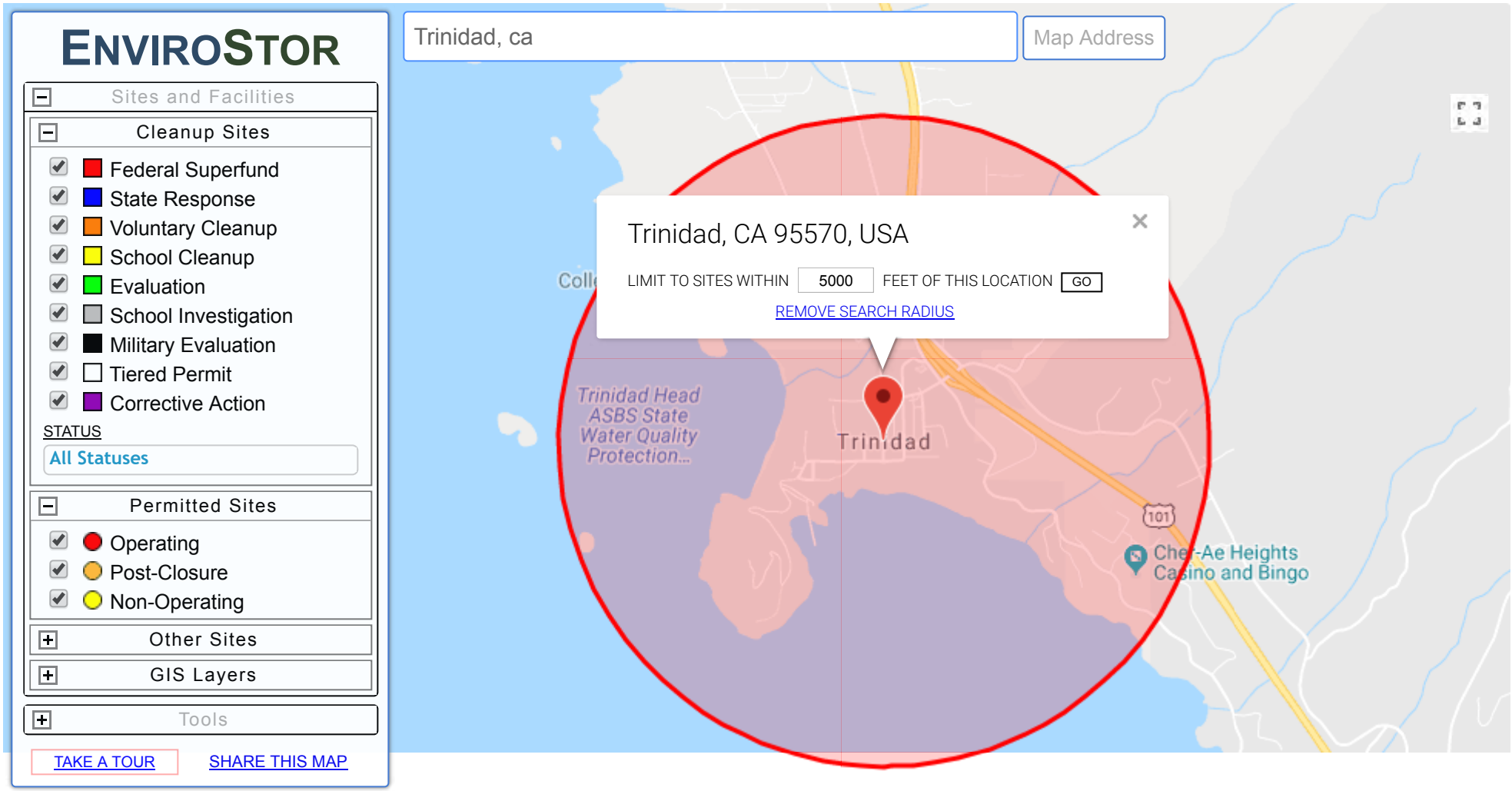
Trinidad General Plan

Figure 17. Geologic Stability



ATTACHMENT 8

EnviroStor Hazardous Sites Map



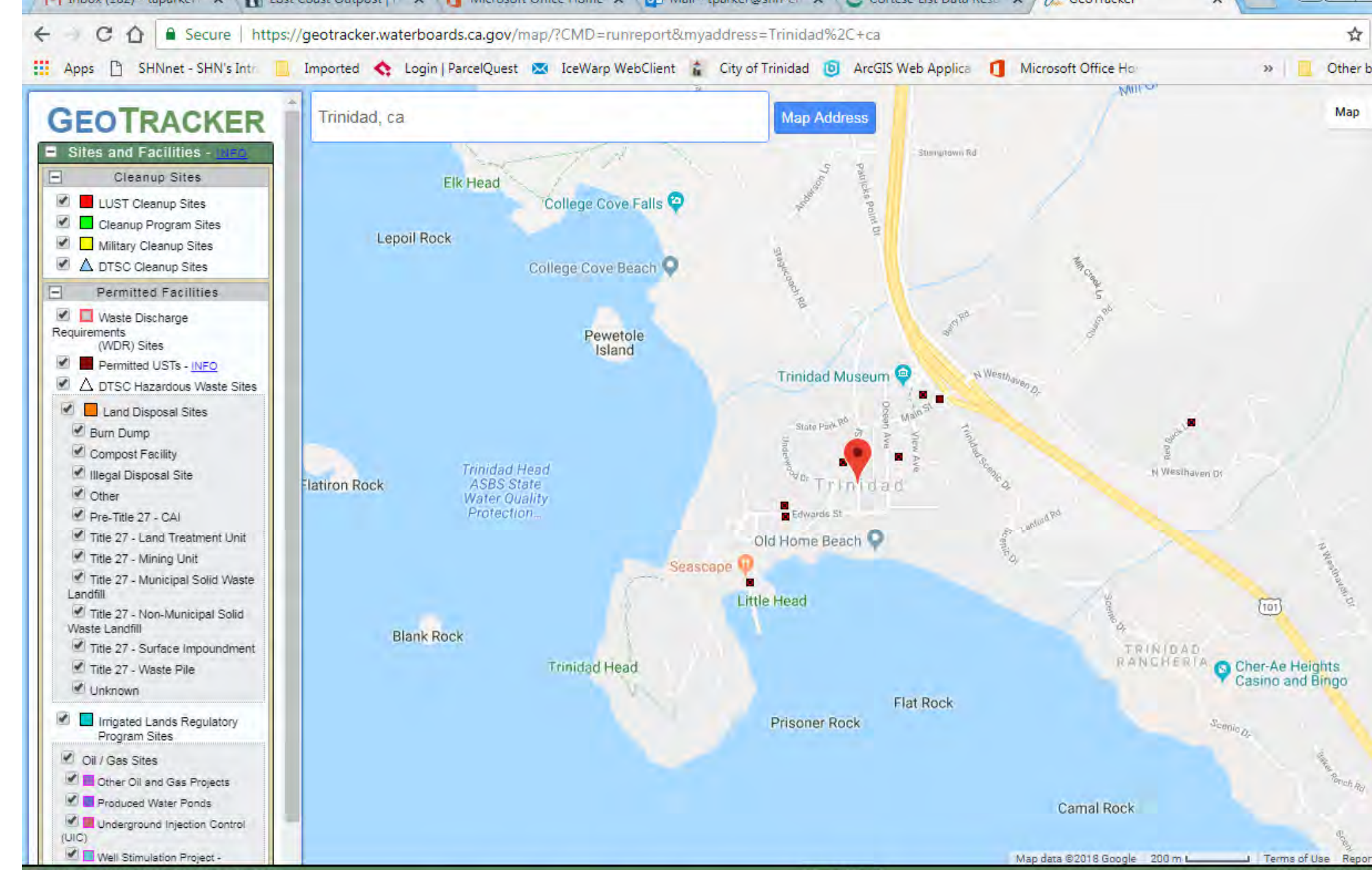
Google 500 m Map data ©2024 Google Report a map error

SITES FOUND IN SEARCH RADIUS 0 SITES LISTED EXPORT THIS LIST TO EXCEL

PROJECT NAME	STATUS	PROJECT TYPE	ADDRESS	CITY

ATTACHMENT 9

Geotracker Hazardous Sites Map and List



SITE NAME	GLOBAL ID	FAC ID	STATUS	ADDRESS	CITY
BOB'S BOAT BASIN	T0602300440		COMPLETED - CASE CLOSED	1 BAY STREET	TRINIDAD
HUMBOLDT STATE UNIVERSITY - MARINE LAB	T0602300374		COMPLETED - CASE CLOSED	EDWARDS STREET	TRINIDAD
PACIFIC BELL TE-034	T0602300296		COMPLETED - CASE CLOSED	OCEAN AVENUE	TRINIDAD
PRIVATE RESIDENCE	T0602331889		COMPLETED - CASE CLOSED	PRIVATE RESIDENCE	TRINIDAD
REDWOOD OIL CO - TRINIDAD CHEVRON GASOLINE STATION		12000000710		101 MAIN ST	TRINIDAD
TOOBY RESIDENCE	T0602300406		COMPLETED - CASE CLOSED	806 EDWARDS STREET	TRINIDAD
TRINIDAD CHEVRON #9-1728	T0602300236		COMPLETED - CASE CLOSED	101 MAIN STREET	TRINIDAD
TRINIDAD UNION ELEMENTARY SCHOOL	T0602300240		COMPLETED - CASE CLOSED	300 TRINITY STREET	TRINIDAD

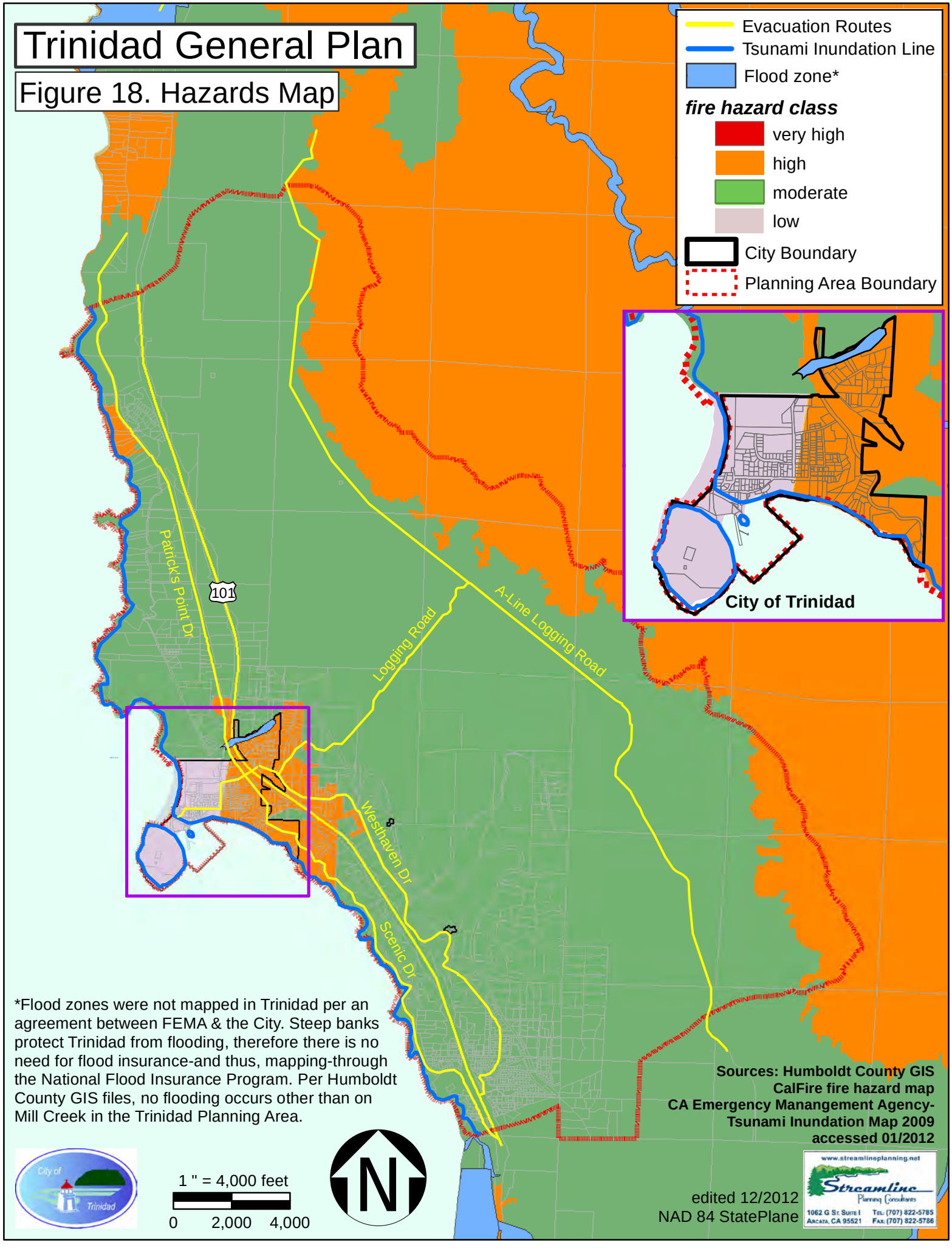
ATTACHMENT 10

Fire Hazards Map

Draft General Plan Figure 18

Trinidad General Plan

Figure 18. Hazards Map



*Flood zones were not mapped in Trinidad per an agreement between FEMA & the City. Steep banks protect Trinidad from flooding, therefore there is no need for flood insurance-and thus, mapping-through the National Flood Insurance Program. Per Humboldt County GIS files, no flooding occurs other than on Mill Creek in the Trinidad Planning Area.

Sources: Humboldt County GIS
CalFire fire hazard map
CA Emergency Manangement Agency-Tsunami Inundation Map 2009 accessed 01/2012

1 " = 4,000 feet

0 2,000 4,000

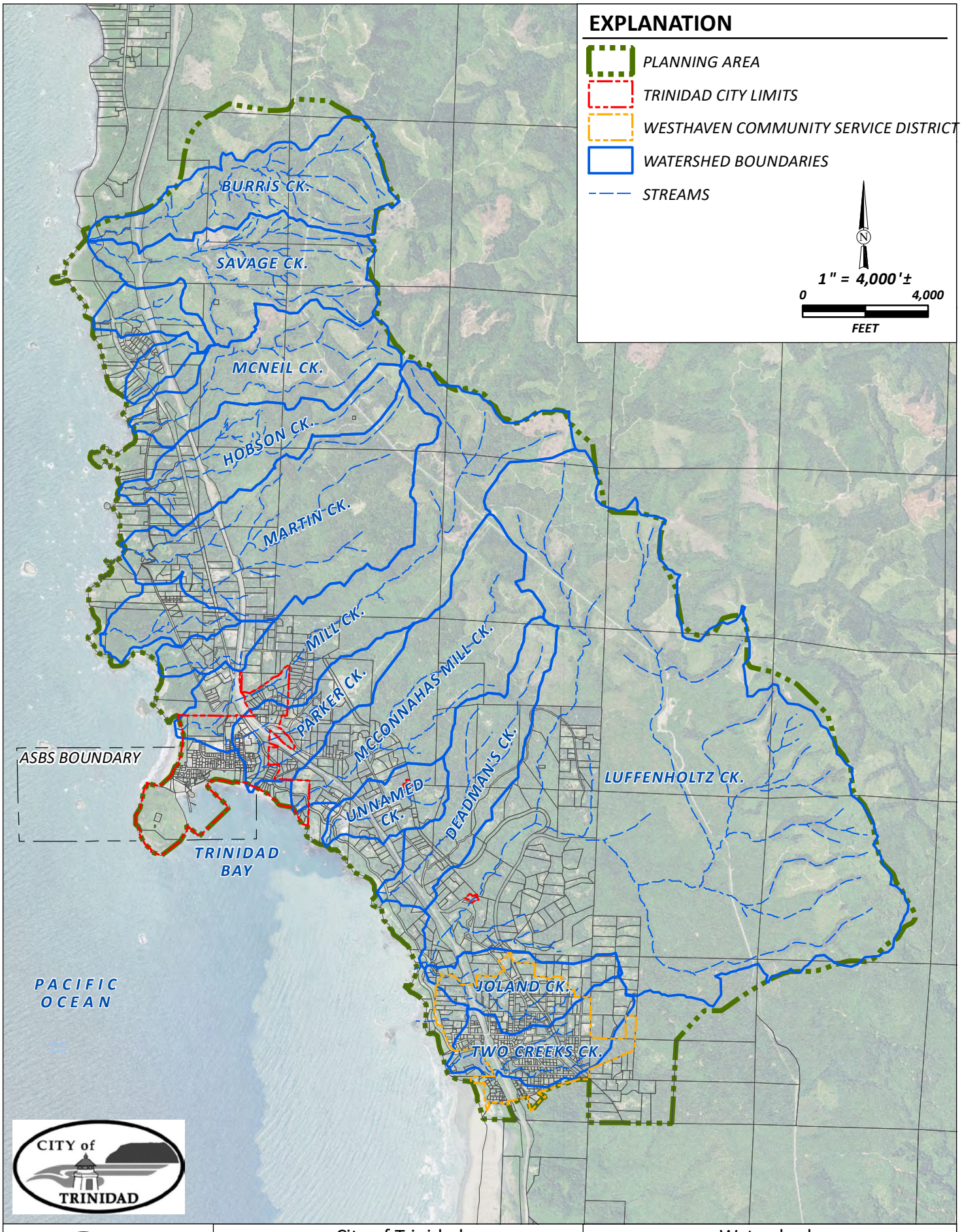
edited 12/2012
NAD 84 StatePlane

www.streamlineplanning.net
Streamline Planning Consultants
1062 G St Suite I Arcata, CA 95521
Tel: (707) 822-5785
Fax: (707) 822-5786

ATTACHMENT 11

Trinidad Watersheds

Draft General Plan Figure 6



\\Arcata\Projects\2016\016105A-CityOfTrinidad\GIS\Projects\GenPlanUpdate\2018\ USER: jsousa DATE: 1/24/19, 4:36PM

SHN Consulting Engineers & Geologists, Inc.

City of Trinidad
General Plan
Trinidad, California

Watersheds
Trinidad General Plan (DRAFT)
SHN 016105.006

August 2018 | GP2018_Fig6_Watersheds | Figure 6

ATTACHMENT 12

FEMA Flood Hazards Map

National Flood Hazard Layer FIRMette

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN — Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 — Cross Sections with 1% Annual Chance / Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/27/2018 at 6:59:36 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

ATTACHMENT 13

Tsunami Runup Zone

Return to Index Map

ATTACHMENT 14

Trinidad Trails Map

Draft General Plan Figure 10

EXPLANATION

- EXISTING TRAILS
- PROPOSED TRAILS
- EXISTING BENCHES
- PROPOSED BENCHES
- EXISTING BIKE RACKS
- PROPOSED BIKE RACKS
- VISTA POINTS
- TRAIL MARKERS
- CA COASTAL TRAIL

N

1" = 400'±

0 400

FEET

PHOTO SOURCE:
GOOGLE, MAY 2016

MILL CK.
HIGHWAY 101
MAIN ST.
PARKER CK.
TRINIDAD ELEMENTARY
TOWN HALL
TRINITY ST.
OCEAN AVE.
SCENIC DR.
EDWARDS ST.
PACIFIC OCEAN
TRINIDAD HEAD
TRINIDAD PIER
TRINIDAD BAY
MCCONNAHAS MILL CK.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 A 22 B 23 24 25 26 27 28 29 30 31 32

CITY of TRINIDAD

Consulting Engineers & Geologists, Inc.

City of Trinidad General Plan Trinidad, California	Recreation & Trails Trinidad General Plan (DRAFT) SHN 016105.006
September 2018 | GP2018_Fig10_Recreation_Trails	Figure 10

\\Arcata\Projects\2016\016105A-CityOfTrinidad\GIS\Projects\GenPlanUpdate\2018\ USER:jsousa DATE:10/2/2018

RESPONSE TO COMMENTS
Draft IS-MND
Van Wycke Bicycle and Pedestrian Connectivity Project

This Response to Comments document contains public and agency comments received during the public review period of the Van Wycke Bicycle and Pedestrian Connectivity Project (proposed project) Initial Study / Draft Mitigated Negative Declaration (IS-MND).

The Draft IS-MND was circulated for a 31-day public review period that began on January 28, 2019 and ended on February 28, 2019. The document was also sent to the State Clearinghouse for review by state agencies. A public hearing was held on February 20, 2019 to take public comments on the Draft IS-MND. The following letters and comments were received:

Comment	Name	Date Received
Written Comments from Individuals and Organizations		
A	Tsurai Ancestral Society	February 19, 2019
B	Kim Tays	February 14, 2019
Agency Comments		
C	Native American Heritage Commission	February 4, 2019
D	CA Coastal Commission	March 8, 2019
Verbal Comments at the February 20, 2019 Public Hearing		
E	Jim Cuthbertson	
F	David Grober	
G	Dorothy Cox	
H	Roland Johnson	
I	Leslie Farrar	
J	Alan Grau	

A summary of the comment and the City's responses follow. Copies of the written comments can be found at the end of this document. The comment letters have been lettered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the letter assigned to the commenter, and then the number assigned to each issue. (Response A.1, for example, indicates that the response is for the first issue raised by commenter A.)

Any changes made to the text of the Draft IS-MND correcting information, data or intent, other than minor typographical conditions or minor working changes are noted in the Final IS-MND as changes from the Draft IS-MND.

Comment A

From: Tsurai Ancestral Society (TAS)
Date: February 19, 2019

Overall Response:
This letter does not address environmental impacts or CEQA issues, but objects to the project. Approval of the CEQA document does not authorize the project to proceed. No change to the CEQA document is required. However, a brief response to is provided by the City below.

Comment A.1: The TAS requests that the Planning Commission take no action until the declaratory relief complaint filed by the City, which affects protection of the Tsurai Study Area (TSA), is decided by a judge.

Response A.1: The Complaint for Declaratory Relief filed by the City does not impact, nor is it impacted by this project. It has to do with two previous lawsuits and implementation of the Tsurai Management Plan, procedural issues for the Tsurai Management Team and other issues regarding the Tsurai Study Area / 12.5 acres under a Coastal Conservancy easement. The proposed project does not occur within the Tsurai Study Area. Any new walkway along the south side of Edwards Street will be constructed within the existing right-of-way, and within the already paved and developed portion of the right-of-way. The retaining wall, which is the most intrusive component of the project is not located adjacent to the TSA and will not impact the City's obligation (if any) to protect the TSA. The letter presents no evidence that the project will impact the TSA. Any judicial decision resulting from this complaint would not be the responsibility of the Planning Commission to implement.

Comment A.2: The Van Wycke Trail is not a primary trail and a past agreement was made between the City, the TAS, the CA Coastal Conservancy and the Yurok Tribe to develop and implement an alternative route to this trail, which was completed in the early 2000's.

Response A.2: The Van Wycke Trail is not designated as either a primary or secondary trail. Those designations apply only to trails accessing Old Home Beach, which were part of a lawsuit and settlement agreement over the use of the Old Wagon Road Trail access via Wagner Street. In that case, the Axel Lindgren Memorial Trail was designed as the primary trail, and Old Wagon Road, Parker Creek and Groth Lane Trails were designated as secondary trails. The Van Wycke Trail was not discussed in that settlement agreement, nor is it discussed in the Tsurai Management Plan. Staff is not aware of any previous agreement by the City to close the trail. The TAS may be referring to the Walkway project of the early 2000's, which made pedestrian improvements to Edwards Street, including the boardwalk at the lower end. However,

as far as staff is aware, and as reflected in the minutes, that project was never intended or presented as an alternative to any existing trails.

Comment B

From: Kim Tays
Date: February 19, 2019

Comment B.1: The only conceptual images provided are not adequate for assessing the aesthetic impacts of the project.

Response B.1: That is because the final design has not yet been completed. Therefore, conceptual renderings at this point could be misleading. And it would not be an efficient use of resources to put a lot of effort into renderings when the design is likely to change. The next phase of the project includes public outreach to gather input that will help inform the final design. The final proposal will require approval of Design Review and a Coastal Development Permit. At that time, the proposed design will be subject to detailed scrutiny. The retaining wall is not expected to be readily visible once vegetation grows back. Some basic renderings were provided to show what the railing might look like, but again, that design is not final. Additional photos and conceptual renderings were provided as part of a presentation to the City Council on December 14, 2016.

Comment B.2: Exact specifications for the retaining wall are not provided (e.g. size, amount of soil disturbed, depth of drilled piers).

Response B.2: As acknowledged in the project description and elsewhere in the CEQA document, the final design has not been completed. However, some approximations were provided. The exact specifications will depend on the final location and configuration of the trail and will also be partially determined by a new geotechnical report that will be prepared in the next phase of the project. A final design is not necessary in order to adequately determine what the impacts of the project will be. CEQA encourages the environmental analysis to be done early enough in the project planning stages so that changes can be made to a project in order to reduce environmental impacts. CEQA Guidelines §15004(b) states: "*Choosing the precise time for CEQA compliance involves balancing of competing factors. EIRs and negative declarations should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design and yet enough to provide meaningful information for environmental assessment.*" No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.3: There are contradictory statements regarding zoning in the CEQA document, and the project could violate Open Space zoning regulations.

Response B.3: The referenced comments are not actually contradictory. One is a brief summary statement, and one is more detailed. The Edwards Street right of way is very large, and includes the top edge of the bluff, which is still within the right of way, and not within an area zoned Open Space. The improvements along Edwards Street will be constructed within the already developed portion of the right-of-way and will not extend further towards the bluff. The City recently surveyed the area around the failing Van Wycke Trail, which is located on the upper/northern end of the right-of-way, and even encroaches onto some private property located above the trail. This area is zoned Urban Residential, not Open Space. As described in the project description, the City will work with upslope neighbors to locate the trail as far to the north as possible. This will not impact any areas zoned Open Space. Currently, the boundary between Open Space and the right-of-way is an arbitrary line on the slope of a bluff. Where that exact boundary falls in relation to the project does not change the physical impacts of the project. Specific zoning and other regulations will be considered as part of the final design and permitting for the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.4: The revegetation mitigation is inadequate because the sensitive habitat already exists, invasive plants could recolonize the area and it will take time for the vegetation to regrow.

Response B.4: The proposed mitigation follows the recommendations in the biological report that was prepared for the project. The report was prepared by a qualified professional and follows excepted standards and protocols. Most of the project area is characterized by existing development and non-native vegetation. There were two areas of coastal bramble vegetation community (not coastal scrub as stated in the comment), which is considered an ESHA by the Coastal Commission, found within or near the project area. The project includes the opportunity to move the trail as far upslope as feasible, pending negotiations with property owners and the new geotechnical report. In the case that ESHA is within the construction area, mitigation includes removal of non-native species where possible and replanting with native species in any areas that are disturbed. There are many native species that grow quickly, including coastal bramble. Any coastal bramble that is disturbed will be replaced at a 3:1 ratio (for every square foot disturbed, 3 sq. ft. will be replanted or restored). This can be accomplished by removing invasive species and planting coastal bramble in areas that aren't currently ESHA. A planting plan is also required. It is standard practice to require annual monitoring for 3 to 5 years as part of any restoration activities. The mitigation and monitoring plan has been updated to include additional clarifying details.

Comment B.5: There is a lack of discussion of alternatives and the City should consider rerouting the trail.

Response B.5: The last section of the project description (p. 10-11) briefly describes several alternatives that have been considered. Based on various studies and discussions, City staff and the City Council have determined that a retaining wall is the most feasible and desirable alternative at this point in the process. There is no requirement for a Negative Declaration or Mitigated Negative Declaration to discuss alternatives. Even in an EIR, only feasible alternatives that meet the project objectives and reduce environmental impacts are required to be discussed (CEQA Guidelines § 15126.6). One of the primary objectives of the project is to repair the Van Wycke Trail. And there is no evidences to show that rerouting the trail, even along Edwards Street, would reduce the overall impacts. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed. Also see Response D.7.

Comment B.6: The biological resources section contains contradictory statements and is inadequate.

Response B.6: No explanation is provided as to how each of the quotes included in the comment are contradictory. They provide a summary of the more detailed information in the biological report. The project area lacks specific habitat types required for the various special status animal species (e.g. riparian) that occur in the area. Surveys were conducted during the specific flowering periods of rare plants that could occur in the area, and none were observed. The project area is already disturbed, subject to regular human activities, and no trees will be removed as part of the project. It does not take multiple visits by a biologist to determine that this is not ideal nesting habitat, even though birds may be observed in nearby trees at times. Mitigation has already been included to protect nesting birds and restore any areas of ESHA that may be disturbed. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.7: The trail should be moved upslope away from the bluff; the comment includes a reference to Policy 5 of the Trinidad General Plan.

Response B.7: The project is not inconsistent with Policy 5 of the general plan, which suggests that trails with slope stability problems either be improved or closed. The project does include the opportunity to move the trail as far upslope as feasible. However, that is not likely to completely eliminate the need for a retaining wall, though it could minimize the size of it. Also, the gravity storm drain is intended to be stabilized as part of the project and cannot be moved too far upslope. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.8: Construction of a retaining wall will significantly alter the landform and exacerbate bluff instability.

Response B.8: Significant alteration of a landform is not part of the CEQA findings. Additionally, the comment suggests that a retaining wall will damage and destabilize the bluff without providing any documentation to support that claim. Several reports have been prepared by registered professionals (in geology and engineering) that recommend a retaining wall as the most appropriate means to stabilize the top of the bluff where it is currently failing. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.9: The CEQA document did not evaluate the impacts of the retaining wall on the beach.

Response B.9: This comment is speculative. The retaining wall would be designed to stabilize surficial slope movement at the top of the bluff. Processes below the retaining wall, including tow erosion of the slope would continue to occur. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed. However, the Coastal Commission comment letter (D) also suggested that this this issue will need to be addressed as part of the CDP process. The new geotechnical assessment that will be prepared as part of the next phase of this project should address this issue to the extent feasible.

Comment B.10: The CEQA document does not address cumulative impacts considering the potential construction of a retaining wall on Edwards Street.

Response B.10: In an MND, the only place cumulative impacts are addressed is in the "Mandatory Findings of Significance" section near the end of the document. CEQA Guidelines § 15065 states: "*A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur:… (3) The project has possible environmental effects that are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.*"

The City does not currently have any proposed plans for how to address the slide near the previous site of the Memorial Lighthouse. A Landslide Mitigation Assessment was prepared by SHN in July 2017. That report was focused primarily on stabilization options for the Lighthouse, which was the immediate concern. However, it did make a recommendation for basically the same retaining wall as is currently proposed for Van Wycke as an option for stabilizing Edwards Street. But such a project is still speculative at this point.

The City will be conducting a coastal hazards planning process in the near future to look at various options for Edwards Street, including rerouting it. (The Van Wycke project could fall into that planning process, but the City already designated this as a priority project many years ago. It was difficult to find any funding to fix the trail, and the loss of this funding will make obtaining any other funding less likely and threaten any opportunity to repair the Van Wycke Trail. But that is not a CEQA issue.) Because construction of a retaining wall on Edwards is speculative at this time, its impacts are not reasonably foreseeable, and therefore do not need to be analyzed in the initial study. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment B.11: The project would violate the Coastal Act.

Response B.11: This is not a CEQA issue. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment C

From: Native American Heritage Commission (NAHC)
Date: February 04, 2019

Comment C.1: The process for naming the Most Likely Descendant (MLD) in the Mitigation Measures in the Cultural Resources section (referenced in the Tribal Cultural Resources section) is incomplete. Health and Safety Code § 7050.5 and Public Resources Code § 5097.98 outline a specific process for the inadvertent finds of human remains. Notification of the tribe determined to be the MLD for the project will be done by the NAHC.

Response C.1: The paragraph following the sample inadvertent discovery protocol developed by the Yurok Tribe on page 32 was updated to reflect the comment and code references above. In addition, the NAHC was added as a consulting party to Mitigation Measure 3 (item 1).

Comment C.2: The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed project as early as possible.

Response C.2: This appears to be standard template language for their letter rather than a request for the City to conduct additional consultation. The email from the NAHC transmitting the letter states: *"I was very pleased with the City's due diligence in consulting with tribes who are traditionally and culturally affiliated with the project area. Your mitigated negative declaration includes extensive documentation of your efforts and the information you incorporated into mitigation measures after tribal input. This is an excellent example of how*

consultation can work." The City will continue to consult with tribes throughout all phases of this project. In addition to the formal consultation that was conducted for the preparation of the IS-MND pursuant to AB52 and CEQA, the draft document was sent to the tribes several weeks before it was released to the public in order to seek any additional comments; none were received.

Comment D

From: California Coastal Commission
Date: March 11, 2019

Comment D.1: Correct and clarify discrepancies in the scope of the project, including (a) the length of the retaining wall; (b) update Figure 2a; and (c) study area verses project area.

Response D.1a: As described in the project description, the project design is not yet final, and will depend on efforts to move the trail upslope, public outreach and the results of a new geotechnical report. At this point, it is anticipated that the retaining wall may be 50 to 100 ft. long but could be up to 150 ft. long if the trail remains in its current location. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Response D.1b: The City recognizes that conditions have changed since the conceptual site plan for this project was last updated (Figure 2a (Attachment 2), January 2017). However, it is a conceptual plan, and it is recognized throughout the IS-MND that the project details may change, such as the exact location of fencing along the south side of Edwards Street. Clearly the 5.5 ft. walkway leading off the parking area towards the former location of the Trinidad Memorial Lighthouse is no longer necessary. But that does not materially change the scope of the project or is physical impacts. The figure does not need to be updated for the purposes of the IS-MND. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Response D.1c: The study area shown in Attachment 5 (Figure 3 from the biological report) was used to determine the area that was covered by the biological survey. That study area exceeds the extent of the anticipated construction limits. It was also drawn based on the aerial photo in Attachment 2 and is only an approximate location when overlaid on the zoning map. As noted in the letter, this will be important for evaluating the final project design for consistency with the policies of the City's LCP. However, it does not alter the physical impacts of the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.2: Concerned about the reliance on geotechnical studies and feasibility analyses dating from 2011, because additional slope movement has occurred since then. Both the Edwards Street and Van Wycke slides are mentioned.

Response D.2: According to the Preliminary Assessment prepared in by SHN in March 2017, the recent slide on Edwards Street, near the former location of the Trinidad Memorial Lighthouse is not connected to the slide on Van Wycke. The Landslide Mitigation Assessment prepared by SHN in July 2017 concluded that: *"With regard to Edwards Street, there is currently a buffer between the head of the slide and the edge of the roadway such that there is a lesser immediate risk factor as compared to the lighthouse. However, we expect the head of the landslide to continue encroaching toward Edwards Street within the next few years. We, therefore, recommend that the City of Trinidad strongly consider the construction of a retaining wall system to preserve the full traveled roadway width of Edwards Street, a main transportation artery in the town of Trinidad."* The parking area has already been reconfigured to accommodate the recent slide movement. At this point, the new walkway along the south side of Edwards is expected to be created within the existing paved area of the street, which would not create or be subject to increased risk of instability compared to existing improvements. Also see Response H.1.

Comment D.3: There is conflicting information on page 36 of the IS-MND, stating on the one hand that the project *has been* designed to increase stability, while also stating that the project will be designed *in the future* to increase stability.

Response D.3: Both statements are true to a certain extent; the purpose of the project is to stabilize the failing portion of the Van Wycke Trail. The preliminary design of the retaining wall is intended and designed to increase stability (see RGH Consultants 2011). But that is a preliminary design. The final design will be based on the final trail configuration after discussions and negotiations with upslope property owners and after a new geotechnical report that will inform the final specific design of any retaining wall or other stabilization structure. The following change to the text on page 36 (now 37) within the discussion of Geology and Soils impact a.iv was made to clarify the statements.

> *The retaining wall ~~is designed~~has been proposed as the most feasible way to stabilize the Van Wycke Trail in a location that has been damaged by landslide activity.*

Comment D.4: The IS-MND does not demonstrate how the project has been designed to avoid adverse impacts on soil erosion when the project includes up to 10,000 sq. ft. of vegetation removal.

Response D.4: If not stabilized, the existing landslide could result in significant erosion and loss of top soil. The IS-MND recognizes that the project, including cut, fill, vegetation removal, and operation of heavy equipment could potentially have

significant impacts, but that the impacts have been reduced to less than significant through incorporation of Mitigation Measure 4, which requires an erosion control plan. The specific erosion potential cannot be determined until a final design has been completed. The project cannot be constructed without future approval of a Grading Permit by the City, which includes specific standards to minimize erosion, sedimentation and dust generation. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.5: It is unclear from the IS-MND how the City determined that the project would not occur on geologically unstable soils or that the project would result in a less than significant impact. *"The findings… lack current information about site conditions or details about the project design in support of the statements regarding geologic hazard risk. Additionally, the findings do not demonstrate that the development would not contribute to erosion or geologic instability, or destruction of the site or surrounding area over the economic life of the project."*

Response D.5: The IS-MND did not determine that the project will not occur on unstable soils. The whole purpose of the proposed retaining wall is to stabilize unstable soils. The comment refers to a Coastal policy, which is not a standard for determining significance under CEQA. City staff believes that the discussion does provide adequate support for a finding of less than significant in relation to Geology and Soils impact c. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.6: Future CDP application.

Response D.6: These comments will be important for the City to address as part of the eventual CDP application for this project, but are not relevant to the CEQA analysis.

Comment D.7: The alternatives analysis does not sufficiently evaluate the range of possible project alternatives and mitigation measures that should be considered in lieu of assuming construction of a retaining wall.

Response D.7: See Response B.5. Also note that the public review draft of the IS-MND that was circulated did not include a stated purpose as suggested in the comment letter. The comment is noted, and the City will need to address it prior to approval of a CDP for the retaining wall. Although CEQA does not require an analysis of alternatives in an MND, other questions have come up as to whether the retaining wall is really necessary. So the following supplemental information is provided to show that there is no simple solution.

The City has not thoroughly investigated the option of abandoning the trail for several reasons. One, there has been general support and requests from the community to fix

the trail. In addition, the trail is within a public right-of-way and is a long-standing coastal public access trail that is identified as such within the City's Local Coastal Program (LCP) (e.g. Plate 4 of the Trinidad General Plan). Changes in public access fall under the Coastal Act definition of development. Therefore, closure and abandonment of the trail would require approval of a Coastal Development Permit and an amendment to the City's LCP. Further, in closing a public access, the Coastal Act generally requires equal and equivalent access to replace it. The existing striping on the south side of Edwards likely would not meet that requirement, because it does not separate pedestrians from vehicular traffic. Constructing further improvements on either the north or south side of Edwards would be complicated, resulting in the need for significant soil disturbance and retaining walls and / or the loss of parking on the north side, or loss of private improvements and driveway space on the south side (most of the driveways on the south side extend well into the right-of-way). Further, there could be prescriptive or other easement issues along the existing trail. In addition, because most of the houses upslope of the trail were built prior to the Coastal Act, they have some right to protect their property as the slide moves further north, with the possible end result of a retaining wall anyway. So there is no simple fix with this alternative either. But other alternatives could be investigated and considered further as part of the next phase of the project.

Comment D.8: The City should consider alternatives that would avoid disturbance of ESHA.

Response D.8: As mitigated in the IS-MND (Mitigation Measure 2), there will be no significant impacts to ESHA. Only two small pockets were found in or near the project area. The one on Edwards Street is unlikely to be disturbed by the project. The one below Van Wycke could be impacted by construction of the retaining wall. As part of the final design, that will be taken into consideration and avoided if possible. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.9: The City is currently working on an update of the LCP. That update includes a coastal hazard study funded by a grant from the Coastal Commission. Therefore, the City should consider how to address the failure of the Van Wycke Trail in that context. And if an amendment is needed to close the trail, it could be included in the LCP update.

Response D.9: This is true, and they are related issues. However, the LCP update is taking much longer than anticipated, and so may not be as timely as suggested in the letter. In addition, when the City wrote the grant to obtain coastal hazards planning funding, it was with the assumption that this project would already be underway, and that the grant would focus on the Edwards Street slide. The City can complete the coastal hazards planning process concurrently with the next phase of this grant project.

And the studies and public outreach completed as part of both projects may complement each other. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.10: Citing Coastal Act sections and Trinidad Design Review standard, the comment notes that no visual renderings or simulations of the wall are provided. The comment suggests that the proposed mitigation of requiring a planting plan may not be adequate because poor growing conditions and unstable soils could inhibit plan growth. The comment then suggests that other, less visibly obtrusive alternatives should be considered.

Response D.10: See Responses B.1 and B.5. Conceptual renderings have been provided. No less visually obtrusive alternative has been identified. Vegetation actually does grow quickly in this area, particularly on south-facing slopes that get more sun and are sheltered from the prevailing north-west wind. The issues brought up in this comment will be addressed during the next phase of the project and the required, future Design Review process. The planting plan, and the retaining wall itself, will require approval from the Planning Commission. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment D.11: Citing several Coastal Act sections, the comment states that the City should address how expanding and improving the Van Wycke trail within an active landslide area could be approved consistent with public safety and the need to minimize geologic hazards and avoid contributing the geologic instability. The City should evaluate alternative, less environmentally damaging feasible project designs that could afford increased bicycle and pedestrian connectivity within the community.

Response D.11: These comments will be important for the City to address as part of the eventual CDP application for this project, but are not relevant to the CEQA analysis.

Comment E

From: Jim Cuthbertson
Date: February 20, 2019

Comment E.1: Why is crushed rock being used?

Response E.1: The final design and materials have not yet been determined. This comment is not related to the environmental impacts of the project. It will be addressed as part of the final design of the project, including public outreach and discretionary approvals, including Design Review. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment E.2: The trail currently gets a lot of use, and the environmental baseline includes the current use.

Response E.2: Although the trail is currently posted as closed, the City and the environmental document recognize that this trail is still used by the public and that it received heavy use prior to its failure. This comment does not identify an environmental impact or deficiency in the initial study; no change to the CEQA document is needed.

Comment E.3: The storm drain pipe within the failing trail area is near his house and he believes it is functioning properly.

Response E.3: This comment is not related to the environmental impacts of the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment F

From: David Grober
Date: February 20, 2019

Comment F.1: States that he lives near the trail and has experience with trail construction in South America. There are various alternatives to a retaining wall. He offers to help with this project and the City's general plan update.

Response F.1: The comment is noted. There will be ample public outreach opportunities as part of the next phase of this project. This comment is not related to the environmental impacts of the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment G

From: Dorothy Cox
Date: February 20, 2019

Comment G.1: She requested clarification on the location of the trail.

Response G.1: The requested clarification in the form of a site plan was provided. This comment is not related to the environmental impacts of the project. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment H

From: Roland Johnson
Date: February 20, 2019

Comment H.1: As a professional geologist, he is concerned about the age of the geotechnical and feasibility reports from 2011. The slide has been active over the past few years, and conditions have changed since 2011.

Response H.1: It is recognized that studies more than five years old may be considered out of date for the purposes of CEQA (though not always). While the slide has continued to move since the previous reports were prepared, the processes described in those reports were anticipated and have not changed. In addition, the underlying geology and identified bedrock has not changed. The most detailed of the reports (RGH Consultants) did a subsurface investigation with borings to 21 feet and recommended tying the retaining wall into bedrock so it would not be affected by the surficial processes driving the slide. Those conditions are not expected to have changed. A new geotechnical analysis will be completed as part of the next phase of the project; it was and is part of the scope of work for the grant. The final design will be based on that new, updated report. No new impacts were identified that are not already addressed in the draft initial study and negative declaration.

Comment H.2: Discussion of the project is inconsistent between different sections in the CEQA document. (No specifics were provided.)

Response H.2: No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed. However, see Response D.1 for a response to more detailed comments regarding inconsistencies in the project description.

Comment H.3: The existing storm drain that is located within the trail failure area could exacerbate erosion and instability. The CEQA document should discuss the current condition of and any improvements that are proposed for the storm drain.

Response H.3: The City has investigated the integrity of this storm drain. There is no evidence that it is currently leaking or failed or otherwise compromised. However, the stormdrain and other utilities (water, cable, phone) are an important component of this project. Regardless of what happens with the trail, this storm drain pipe cannot be moved very far from its current location because it functions via gravity. And it cannot be discharged on or near the bluff due to the potential for creating erosion and instability. It is currently at a high risk of damage from continued slope movement. The water line is an important component of the water system to serve hydrants on lower Van Wycke and to maintain water pressure in that area. It has had to be closed off due to the potential for it to rupture because of the ongoing slope movement, which has had a negative impact on the City' water system. Therefore, the project includes

reconstruction of the storm drain and other utilities as part of the trail repair. These utilities will be incorporated into the new trail design, and placed underground as they are now. Although not described in the project description in the initial study because the final design has not been completed, the initial study does acknowledge that these utilities will be replaced as part of the project. The project description has been amended to clarify that the existing utilities will be incorporated into the trail repair. No evidence was provided that the project will have significant impacts.

Comment H.4: If all work can't be done within the City right-of-way, the CEQA document needs to further analyze the impacts of completing the project on private property.

Response H.4: As described in the initial study, at this point, it is unknown whether all work will occur within the City right-of-way. Any work on private property would be voluntary on the part of the property owner(s). The grant includes some money to purchase property or easement in order to move the trail upslope to the extent possible. The physical, environmental impacts of the project will not change depending on whether the project occurs on private property or public property. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment I

From: Leslie Farrar
Date: February 20, 2019

Comment I.1: Only the trail should be improved; the other changes are overkill and would change the character of the community. How did the project go from 'repair Van Wycke Trail' to the "Van Wycke Bicycle and Pedestrian Connectivity Project"?

Response I.1: Some additional background for the project has been provided in a memo to the Planning Commission. However, this comment is not related to any environmental impacts resulting from the project. No change to the CEQA document is needed.

Comment I.2: The project will cause aesthetic impacts. A comparison to Central Avenue in McKinleyville is made.

Response I.2: The project will have aesthetic impacts, though the exact impact is unknown at this time, because the final design has not been completed. Initial, conceptual renderings do not indicate a significant impact. As described in the aesthetics section of the initial study, the City has robust design review and view protections findings that will need to made as part of the approving the Coastal

Development Permit for this project. In addition, Mitigation #1 requires submittal of a planting plan to screen the new retaining wall. No evidence was provided that the project will have significant impacts; no change to the CEQA document is needed.

Comment I.3: The project is overaggressive for a small, rural community. The project should be designed to enhance the natural beauty and quality of Trinidad.

Response I.3: This comment is not related to any environmental impacts resulting from the project. No change to the CEQA document is needed. The next phase of the project includes public outreach to help inform the final design.

Comment J

From: Alan Grau
Date: February 20, 2019

Comment J.1: Same comments as Leslie.

Response J.1: See responses to comment I above.

Comment J.2: Doesn't think all the proposed improvements are necessary.

Response J.2: This comment is not related to any environmental impacts resulting from the project. No change to the CEQA document is needed. The initial study includes a statement of need for the project, which has been edited to also include a purpose.

Comment J.3: There are no renderings, pictures, etc., so it is hard to tell what the aesthetic impacts will be.

Response J.3: See Response B.1.

Tsurai Ancestral Society

P.O. Box 62

Trinidad, Ca. 95570

02/19/19

Trinidad Planning Commission

409 Trinity Street

Trinidad, CA 95570

CC: City Planner, City Manager, SHN, CalTrans

RE: Van Wycke Trail Connectivity Project

Dear Commissioners,

The Tsurai Ancestral Society opposes the acceptance of a negative declaration determination for this area as it is immediately impacting, and adjacent to, a known historical village site. As the organization representing the documented lineal descendants of Tsurai Village's inhabitants, our comments regarding this project are not being recorded. City staff is moving forward despite our long term opposition and City's violation of agreements outlined below. The Tsurai Ancestral Society requests all the years we have been opposing this project, and the agreement reached previously, to be documented in order to make the City's Staff Report accurate.

The City of Trinidad filed a declaratory relief complain against the Tsurai Ancestral Society (along with other defendants) late last year (see attached). In that complaint, the City is asking the court to rule on many issues, one being the City's obligations (if any) to protect the Tsurai Study Area, as it is both culturally and environmentally sensitive for the Tsurai village descendants and community as this is part of the town's history (and registered historic landmark).

The Tsurai Ancestral Society, therefore, recommends the Trinidad Planning Commission not move forward with the Van Wycke Trail Connectivity Project as the Tsurai think this matter is directly tied to the declaratory relief action that is yet undecided. The Tsurai Ancestral Society has been opposed to this project, in all it's many forms, since 2000, and thinks the current version of the project will have a significant, irreversible damage to the Tsurai village's cultural resources and natural landscapes.

Absent a decision by the court, which the City has asked for, the City Planning Commission is unaware of the legal repercussions that may ensue with the approval of this project. A Judge may find the first consideration the Commission needs to make, is the protection of the Village as per the transfer agreement outlined in the deed to the Tsurai Study Area.

Furthermore, the Van Wycke Trail is not a primary trail, and a past agreement was made between the City, Tsurai Ancestral Society, California Coastal Conservancy and Yurok Tribe that developed and implemented an alternative route to this trail which was completed in the early 2000's. The City is violating that agreement by developing and pursuing this project. This has been brought to the attention of Dan Berman, City Manager, Council members Jim Baker, Jack West and Dwight Miller since Dan began working on the project shortly after he was hired. None of this is in the Staff Report, making the investigation portion of this project inaccurate.

Please send a copy of the updated Staff Report to the Tsurai Ancestral Society c/o Sarah Lindgren-Akana at the address listed below. If you have any questions, please feel free to contact us.

Sincerely,

Sarah Lindgren-Akana

Tsurai Ancestral Society Secretary

1192 Anderson Lane

Arcata, CA 95521

Andrew J. Stunich #197698
2701 Harrison Ave., Suite 1
Eureka, CA 95501
Telephone: (707) 442-2927
Fax No.: (707) 443-2747

City Attorney for Plaintiff
City of Trinidad

SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT

CITY OF TRINIDAD

Plaintiff

vs

TSURAI ANCESTRAL SOCIETY, YUROK TRIBE, CALIFORNIA STATE COASTAL CONSERVANCY, TRINIDAD RANCHERIA and Does 1-10,

Defendants.

Case No. DR180684

COMPLAINT FOR DECLARATORY RELIEF

GENERAL ALLEGATIONS

1. Plaintiff, City of Trinidad, is an incorporated California City of less than 400 people and the owner of record of an approximately 12.5-12.6 acre parcel of land known as the Tsurai Study Area (TSA) and signatory to two agreements potentially affecting the ownership and management of the TSA. The first agreement is attached hereto as Exhibit A and is referred to herein as the Frame Settlement Agreement (FSA). The second agreement is attached hereto, in relevant part, as Exhibit B and is referred to herein as the Tsurai Management Plan (TMP). The TMP is very long - over two hundred pages- but much of the language is historical background and other material unrelated to resolving the disputes described herein and those pages have been omitted from Exhibit B for ease of review and filing. The full document is available for review on the plaintiff's website.

2. Plaintiff is informed and believes and thereon alleges that defendant Tsurai Ancestral Society (TAS) is an association of members of lineal descendants of indigenous people that once inhabited

the TSA. The TAS is a signatory to Exhibits A and B.

3. Plaintiff is informed and believes and thereon alleges that defendant Yurok Tribe is a federally recognized Tribe. The Yurok Tribe is a signatory to Exhibit B but not Exhibit A.

4. Plaintiff is informed and believes and thereon alleges that defendant California Coastal Conservancy (Conservancy) is a California State Agency. The City of Trinidad received title to the TSA from the Conservancy which retained the easements described in Exhibit C hereto. The Conservancy is also a signatory to Exhibits A and B.

5. Plaintiff is informed and believes and thereon alleges that defendant Trinidad Rancheria is a federally recognized tribe located near the City of Trinidad, California. The Trinidad Rancheria is not a signatory to Exhibits A or B but is recognized as a stakeholder as defined in the TMP (Exhibit B). The Trinidad Rancheria claims a right to participate in Tsurai Management Team (TMT) meetings described in Exhibit B and to have a voice in decisions concerning the TSA. Some and perhaps all of the defendants dispute the Trinidad Rancheria's claims. Plaintiff believes, at a minimum, that the Trinidad Rancheria should be allowed to participate in TMT meetings. The Rancheria also claims a right to the TSA should it be transferred to the TSA and/or Yurok Tribe, and the other defendants dispute that claim.

6. Plaintiff is ignorant of the true names and capacities of defendants sued herein as DOES I through 10, inclusive, and therefore sues these defendants by such fictitious names. Plaintiff will amend this complaint to allege their true names and capacities when ascertained.

FIRST CAUSE OF ACTION - Declaratory Relief (C.C.P. § 1060)

(By Plaintiff Against All Defendants)

7. Plaintiff incorporates herein by reference the allegations of paragraphs 1-6 as if set forth herein.

8. An actual dispute has arisen between and among the parties as to plaintiff's obligation, if any, to meet in private as part of the Tsurai Management Team (TMT) described in Exhibit B and as to whether the other stakeholders, including but not limited to the Trinidad Rancheria, described in Exhibit B can be excluded from TMT meetings. Plaintiff takes its obligation under the Brown Act seriously and does not want to conduct TMT meetings in private as it precludes City Council members from freely attending and it excludes the public and Trinidad Rancheria, described as

stakeholders in the TMP from attending and participating in decisions affecting publicly owned City of Trinidad land - the TSA.

9. An actual dispute has arisen between and among the parties as to plaintiff's obligation, if any, to transfer ownership of the TSA to any particular defendant or group of defendants and the terms, if any of such a transfer and whether the plaintiff can, alternatively, transfer the TSA to a third party.

10. An actual dispute has arisen between and among the parties as to plaintiff's rights, if any, to maintain the TSA, post signs, and to make any needed repairs or improvements to the TSA absent unanimous agreement from the defendants.

11. At least one defendant claims plaintiff has an obligation to protect the TSA from harm or trespass by third parties and that plaintiff is liable for damages if it fails to do so, which plaintiff disputes.

12. There is a dispute between and among plaintiff and some or all of the defendants as to the actual boundaries of the TSA. Plaintiff has obtained a licensed survey showing the actual boundaries and shared that survey with defendants but some or all of the defendants continue to dispute the boundaries of the TSA.

13. Before filing suit, plaintiff has tried to reach agreement on the issues of dispute with the defendants and has been unable to do so.

14. An actual controversy has arisen and now exists between plaintiff and defendants concerning their respective rights and duties in the TSA pursuant to Exhibits A and B and the City of Trinidad's Policy 69 attached hereto as Exhibit D. Plaintiff desires a judicial determination of its rights and duties under Exhibits A and B and a declaration as to its obligation, if any, to meet with defendants in private concerning Exhibit B.

15. A judicial declaration is necessary and appropriate at this time under the circumstances in order that plaintiff may ascertain its rights and duties in the matters set forth herein. The current state of affairs has raised great concerns with plaintiff's City Council as to its rights and obligations under Exhibit B and has hindered the management of the TSA.

WHEREFORE, plaintiff prays judgment against defendants and each of them, as follows:

1. For a declaration of plaintiff's rights and obligations, if any, under Exhibit B and a declaration establishing the boundaries of the TSA and the validity of plaintiff's survey of the TSA;

2. For costs of suit incurred herein; and

3. For such other and further relief as the Court may deem proper.

Dated: September 17, 2018

Andrew Stunich
Attorneys for Plaintiff
City of Trinidad

Dear Trinidad Planning Commissioners:

After reviewing the City of Trinidad's draft CEQA document regarding the Van Wycke Trail project, I have the following concerns:

Lack of Conceptual Images: There are no conceptual images showing what the proposed project would look like once constructed. The only images provided show a benign, rust-colored railing on top of the bluff. These images are completely inadequate for assessing the visual/aesthetic impacts of the retaining wall, including the removal of soil and vegetation and construction of a 7-foot wide, thoroughfare-style trail.

Lack of Specifics: The CEQA document does not provide specifics on the dimensions of the retaining wall, the exact amount of soil and vegetation that would be removed, the depth of the retaining wall and how high the wall would extend above the excavated slope. Varying lengths—from 50 to 150 feet—are mentioned for the retaining wall; approximations are given for vegetation removal (10,000 sq.ft.) and soil removal (500 cubic feet); and an estimation is provided that the drilled piers would extend approximately 30 feet into the ground but may go deeper to resist the impacts of earthquakes. The document also states that *"The new retaining wall will be the most visually obtrusive improvement. It is unknown at this time how much of the wall will be above the excavated slope and visible, but it will likely be around 6 to 8 ft. in height at most."* Again, because there are no conceptual images and a lack of specifics, it is difficult to assess the true impacts of this proposed project.

Contradictory Statements Re: Zoning: On page 1, under Zoning/General Plan Designation, it says *"The project site is within the Edwards and Van Wycke Steets City rights-of-way, which have no zoning or general plan designation."* However, on page 2, under Surrounding Land Uses and Setting, it says *"many of the improvements will also be located on or near the edges of coastal bluffs. . ."* From my interpretation of the maps, the bluff along the Van Wycke Trail, where contruction activities would take place, is designated as Open Space, which means there are special protections afforded this zone to preserve the landforms and natural and scenic character of the area, including important wildlife habitat.

Inadequate Mitigation Measures: Throughout the CEQA document, claims are made that the project will have no significant impacts or, if there are significant impacts, that they can be properly mitigated. For example, there is a discussion about planting native plants where vegetation would be removed. This is not an adequate mitigation measure, because native coastal scrub habitat (recognized as an ESHA) is already growing in the project area. Furthermore, this existing coastal scrub vegetation is mature and well-established, which helps protect the bluff from erosion and run-off and hinder the spread of invasive plants. Once the existing native vegetation is removed, and the soil is disturbed and opened to sunlight, it is likely invasive plants such as Pampas grass, Scotch broom, Himalaya blackberries, English ivy, etc., will move into this newly disturbed area. Even if native plants are planted or grass seed is sowed, it is unlikely the slower-growing, less aggressive native plants can effectively compete against the aggressive, fast-growing invasive plants. Unless there is a rigorous monitoring and care program to insure the newly planted vegetation survives and thrives, it is likely the disturbed bluff will be overrun by invasive plants. Therefore, the mitigation measure planned for the vegetation removal aspect of this project is inadequate, because it will not offset the damage that would be done to the site. Furthermore, because it takes time for newly planted vegetation to become established, the bluff will be more vulnerable to erosion during this time, because smaller, less-established vegetation

does not have the substantial root systems and leaf coverage of the more established vegetation that protects the ground from the erosive forces of rain and run-off.

Lack of Alternatives Discussions: In addition to inadequate mitigation measures, the CEQA document lacks any discussion about alternatives to the retaining wall design, such as a "no project" or "relocation" alternative. A few years ago, several property owners that live above the proposed project site, on Edwards Street, told Trinidad officials they would be willing to grant an easement across their properties if the City would give them permission to cut down the Alder trees on the bluff that were blocking their views. (Note: this is the same bluff where the retaining wall is proposed.) Well, several months ago the Alders were cut down to restore views. For this reason, it seems the time is right for City officials to talk to these property owners about securing an easement across their properties so that the hiking trail can be re-routed upslope, away from the blufftop/edge. Because the properties are long and narrow, there is plenty of room for a pedestrian trail; thus, removing the need to construct a large retaining wall and 7-foot wide, thoroughfare-style trail.

Contradictory Statements on Special Status Species: On page 23, under Setting, it says *"Five special status species were determined to have a moderate or high potential occurrence within the immediate vicinity of the project area".* Then it goes on to say *"Due to a lack of suitable habitat, the project is not likely to adversely affect these special status species or their habitats."* And further down, it says *"The habitat types present in the project area are suitable for supporting foraging birds and other wildlife though not ideal for nesting."* Each and every impact or protection afforded to this ESHA/bluff environment and the habitat it supports is dismissed or minimized to allow approval of this intrusive, damaging project. Two field visits (in April and July 2018) by a biologist/botanist are not sufficient to make the determination that the area is not ideal for nesting or that the project will not adversely impact habitat for special status species. One of the former owners of the Fulkerson property told me she saw Great Horned Owls in the Cypress trees, heard some types of owls perched at night in the trees on the bluff, and saw all types of birds using the trees in and around the proposed project site. As a frequent hiker of the Van Wycke Trail while living in Trinidad, I also saw all sorts of bird activity in the trees and shrubs along that bluff, including a couple of Western blue birds, which was a beautiful sight. The intrusive nature of this project (especially the square footage of vegetation removal) would permanently alter the bluff environment for the special status species (and other critters) that may use the area for foraging and nesting purposes. Because there are few trees in Trinidad anymore and many more are slated for removal (i.e., the pines on the east side of the Fulkerson property), protecting the last remanants of coastal scrub/ESHA vegetation is important, because suitable habitat for birds and other wildlife is disappearing quickly.

Policy 5 of Trinidad General Plan: On page 55, the CEQA document refers to Policy 5 of the Trinidad General Plan which says *"Where access trails must traverse steep slopes they should be located away from unstable areas and improvements should be provided to minimize erosion and slope failures. Existing trails which are creating these problems should either be improved or closed."* The response to Policy 5 is *"The proposed retaining wall will be designed to minimize erosion and slope failure."* Regardless of the design of the retaining wall, the intrusive nature of the construction activities will cause tremendous damage and further destabilize the bluff. The best way to protect the bluff is to avoid more disturbance and development and move the trail upslope, away from the bluff's edge.

Geology and Soils: One of the most dubious claims in the CEQA document is that there would be a *"Less Than Significant Impact"* on the stability of the bluff (see page 33). No matter how you slice and dice it,

bringing in heavy equipment (a drill rig truck, horizontal boring hydraulic jack, front end loader or backhoe and an excavator), removing approximately 500 cubic yards of soil and 10,000 sq.ft. of vegetation, and building an approximately 150-foot long retaining wall will significantly alter this landform and exacerbate bluff instability. In addition, armoring the bluff with a retaining wall will interfere with the natural processes of bluff erosion that replenish the materials on the beach. This may lead to loss of beach area and increase wave action against the toe of the bluff, causing further erosion and bluff instability. In addition, I do not feel the CEQA document effectively evaluated the impacts that armoring has on the beach, itself.

CEQA Requirements: Due to a lack of discussion about alternatives and insufficient mitigation measures, it is my opinion that approval of this project would violate Public Resource Code Section 21080.5(d)(2)(A) of CEQA, which prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would significantly lessen any significant effect that the activity may have on the environment. Again, the feasible alternative to the proposed retaining wall/armoring project is to acquire easements from adjacent property owners and move the trail upslope, away from the bluff's edge. This maintains public access to the coast and protects the bluff from unnecessary, disruptive development.

Cumulative Impacts: In addition to the proposed Van Wycke Trail retaining wall, the City is also considering construction of a large retaining wall at the base of Edwards Street (west of the former Trinidad Memorial Lighthouse site). Construction of two large retaining walls on Trinidad's fragile coastal bluffs would drastically alter the natural landforms and degrade the scenic/aesthetic values of this part of California's coastline. Since coastal armoring is not a common site along North Coast beaches and bluffs, I am concerned that approval of the Van Wycke Trail retaining wall (and, potentially, an Edwards Street retaining wall) would set a dangerous precedent for armoring other coastal bluffs in Humboldt County.

Because of the above-stated impacts, it is my opinion that approval of this proposed project would violate the following sections of the Coastal Act:

1. Section 30240, which states *"(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas ... shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreational areas."*

2. Section 30251, which states *"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of the surrounding areas."*

3. Section 30253(2), which states *"New development shall ... neither create or contribute significantly to erosion, geologic instability or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs."*

My public comments are submitted, respectfully, with a request that the City of Trinidad set aside the plans for this highly intrusive and damaging project and, instead, enter discussions with the adjacent

property owners about acquiring/purchasing easements to allow the trail to be moved upslope and away from the fragile edge of the bluff.

Sincerely,
Kimberly Tays
California Coastal Advocate

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Gavin Newsom
Governor

Kate Gordon
Director

March 1, 2019

Becky Price-Hall
City of Trinidad
P.O. Box 390
Trinidad, CA 95570

Subject: Van Wycke Bicycle and Pedestrian Connectivity Project
SCH#: 2019012051

Dear Becky Price-Hall:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 28, 2019, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Document Details Report
State Clearinghouse Data Base

SCH# 2019012051
Project Title Van Wycke Bicycle and Pedestrian Connectivity Project
Lead Agency Trinidad, City of

Type MND Mitigated Negative Declaration

Description The Van Wycke Bicycle and Pedestrian Connectivity Project involves several improvements within the project area to improve both pedestrian and bicycle travel connectivity within the City of Trinidad. Improvements include installation of new curbs, sidewalks and crosswalks, a 5' paved bike lane in the uphill direction of Edwards Street (south side) and sharrows in the downhill direction, and construction of a 5' wide gravel pedestrian trail where the existing Van Wycke St trail is failing; repair of the trail requires construction of a new retaining wall. Other improvements include split-rail fencing, striping, detectable warning surfaces and directional and interpretive signs.

Lead Agency Contact

Name Becky Price-Hall
Agency City of Trinidad
Phone 707-499-6454 **Fax**
email
Address P.O. Box 390
City Trinidad **State** CA **Zip** 95570

Project Location

County Humboldt
City Trinidad
Region
Lat / Long 41° 03' 28" N / 124° 08' 45" W
Cross Streets Edwards and Van Wycke St ROW
Parcel No. N/A
Township 8N **Range** 1W **Section** 15 **Base** HBM

Proximity to:

Highways 101
Airports
Railways
Waterways Mill Creek, Parker Crk, Trinidad Head ASBS
Schools Trinidad ES
Land Use N/A (ROW); may encroach onto lands designed urban residential or OS

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Cumulative Effects; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 1E; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 1; Regional Water Quality Control Board, Region 1; State Water Resources Control Board, Division of Drinking Water; Air Resources Board, Transportation Projects; Native American Heritage Commission; State Lands Commission

Date Received 01/30/2019 **Start of Review** 01/30/2019 **End of Review** 02/28/2019

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Email: nahc@nahc.ca.gov
Website: http://www.nahc.ca.gov
Twitter: @CA_NAHC

February 4, 2019

Becky Price-Hall
City of Trinidad
P. O. Box 390
Trinidad, CA 95570

Also sent via e-mail: rpricehall@trinidad.ca.gov

RE: SCH# 2019012051, Van Wycke Bicycle and Pedestrian Connectivity Project, City of Trinidad, Humboldt County

Dear Ms. Price-Hall:

The Native American Heritage Commission (NAHC) has reviewed the Mitigated Negative Declaration prepared for the above referenced project. The review included the Initial Study / Project Description; and the Environmental Checklist, section 5, Cultural Resources, and section 17, Tribal Cultural Resources prepared by the City of Trinidad. We have the following concern(s):

1. The process for naming a Most Likely Descendant (MLD) in the Mitigation Measures in the Cultural Resources section (referenced in the Tribal Cultural Resources section) is incomplete. Health and Safety Code § 7050.5 and Public Resources Code § 5097.98 outline a specific process for the inadvertent finds of human remains. Notification of the tribe determined to be the MLD for the project will be done by the NAHC.

Agencies should be aware that AB 52 does not preclude them from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

If you have any questions, please contact me at my email address: gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton

Gayle Totton, B.S., M.A., Ph. D
Associate Governmental Program Analyst

Attachment
cc: State Clearinghouse

The California Environmental Quality Act (CEQA)[1], specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.[2] If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.[3] In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).[4] **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"[5], that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.[6] Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.[7] Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code §65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966[8] may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Pertinent Statutory Information:

Under AB 52:
AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:
Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.
A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.[9] and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18).[10]
The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

a. Alternatives to the project.
b. Recommended mitigation measures.
c. Significant effects.[11]

1. The following topics are discretionary topics of consultation:
   a. Type of environmental review necessary.
   b. Significance of the tribal cultural resources.
   c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. [12]
With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.[13]
If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss** both of the following:

a. Whether the proposed project has a significant impact on an identified tribal cultural resource.

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[1] Pub. Resources Code § 21000 et seq.
[2] Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)
[3] Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)
[4] Government Code 65352.3
[5] Pub. Resources Code § 21074
[6] Pub. Resources Code § 21084.2
[7] Pub. Resources Code § 21084.3 (a)
[8] 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.
[9] Pub. Resources Code § 21080.3.1, subds. (d) and (e)
[10] Pub. Resources Code § 21080.3.1 (b)
[11] Pub. Resources Code § 21080.3.2 (a)
[12] Pub. Resources Code § 21080.3.2 (a)
[13] Pub. Resources Code § 21082.3 (c)(1)

b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.[14]

Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.[15]

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program**, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.[16]

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code §21084.3 (b).[17]

An environmental impact report **may not be certified**, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days.[18]

This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code §65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described §5097.9 and §5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code §65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Public Resources Code §5097.9 and §5097.993.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**[19]
- There is no Statutory Time Limit on Tribal Consultation under the law.
- Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research,[20] the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction.[21]
- Conclusion Tribal Consultation: Consultation should be concluded at the point in which:
  - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.[22]

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:

[14] Pub. Resources Code § 21082.3 (b)
[15] Pub. Resources Code § 21080.3.2 (b)
[16] Pub. Resources Code § 21082.3 (a)
[17] Pub. Resources Code § 21082.3 (e)
[18] Pub. Resources Code § 21082.3 (d)
[19] (Gov. Code § 65352.3 (a)(2)).
[20] pursuant to Gov. Code section 65040.2,
[21] (Gov. Code § 65352.3 (b)).
[22] (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18)

- A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
- A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
  - The request form can be found at http://nahc.ca.gov/resources/forms/.

- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
  - If part or the entire APE has been previously surveyed for cultural resources.
  - If any known cultural resources have been already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
  - Planning and construction to avoid the resources and protect the cultural and natural context.
  - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - Protecting the cultural character and integrity of the resource.
  - Protecting the traditional use of the resource.
  - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.[23]
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.[24]

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.[25] In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

[23] (Civ. Code § 815.3 (c)).
[24] (Pub. Resources Code § 5097.991).
[25] per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

FW: SCH# 2019012051 Van Wycke Bicycle and Pedestrian Connectivity Project

Rebecca Price-Hall

Mon 2/4/2019 1:16 PM

To: Trever Parker <tparker@shn-engr.com>;

1 attachments (174 KB)

MNDReview SCH2019012051 VanWycke-CiTrinidad-PriceHall 2-4-19.pdf;

Hi Trever,
Here is a comment letter we received.

Becky Price-Hall
Grant & Project Coordinator
City of Trinidad
P. O. Box 390
463 Trinity Street
Trinidad, CA 95570
(707) 499-6454

From: Totton, Gayle@NAHC [mailto:Gayle.Totton@nahc.ca.gov]
Sent: Monday, February 04, 2019 9:55 AM
To: rpricehall@trinidad.ca.gov
Subject: SCH# 2019012051 Van Wycke Bicycle and Pedestrian Connectivity Project

Good morning Ms. Price-Hall,

Please find attached our comment letter on the above referenced project. First let me say that I was very pleased with the City's due diligence in consulting with tribes who are traditionally and culturally affiliated with the project area. Your mitigated negative declaration includes extensive documentation of your efforts and the information you incorporated into mitigation measures after tribal input. This is an excellent example of how consultation can work.

My comment is only a procedural one. I noted that when human remains are found, the City is charged with contacting the tribes. While this provision is great when cultural items are found, our past experiences have shown that if the tribes are notified before we name an MLD, that can be problematic. If your experience with these specific tribes differs, then the provision can stand as is.

The City can simply provide us with a letter telling us how you have decided to move forward, either making a change in the language or leaving it the same with the reasons why that decision was made.
Please let me know if you have any questions.
Sincerely,

Gayle Totton, M.A., Ph.D.
Associate Governmental Program Analyst
Native American Heritage Commission
(916) 373-3714

STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY GAVIN NEWSOM, *GOVERNOR*

CALIFORNIA COASTAL COMMISSION
NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET • SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
FACSIMILE (707) 826-8960

March 8, 2019

Trever Parker, Planner
City of Trinidad, Planning Dept.
P.O. Box 390
Trinidad, CA 95570

SUBJECT: Preliminary (Pre-CDP Application) Comments for Proposed Bicycle and Pedestrian Connectivity Project, within Edwards Street and Van Wycke Streets City Rights-of-Way, Trinidad (SCH #2019012051)

Dear Trevor:

Thank you for providing to our office the "Notice of Availability of a Draft Initial Study/Mitigated Negative Declaration and Intent to Adopt a Mitigated Negative Declaration," which our office received on January 28, 2019. We understand from the notice that the City of Trinidad proposes to repair, restore, and expand approximately 200 feet of the currently closed Van Wycke Trail, and to extend trail development through portions of Trinidad where gaps in non-motorized routes currently exist. The proposed project would also include a number of other accessway improvements within the town, such as installation of new curbs, sidewalks, and crosswalks, paved bike lanes, fencing, striping, detectable warning surfaces, and directional and interpretive signs.

The City's draft Initial Study/Mitigated Negative Declaration (IS/MND) describes the project purpose in part as follows: "The purpose of the project is [to] increase connectivity within the community for pedestrian and bicycle traffic."[1] The City also describes the need for the project in several ways, including to: (1) stabilize the Van Wycke Trail, which connects the upper and lower portions of Van Wycke Street; and (2) reconfigure the walkway and parking area at Edwards Street near the former site of the Trinidad Memorial Lighthouse following recent landslide activity.

We understand that the formal review period set by the Trinidad Planning Department ended February 28, 2019, but that the City will continue to accept comments into the record until the Planning Commission considers adoption of the document, which is anticipated to occur around March 20. As indicated in our email to you on February 28, we were unable to submit comments during the formal review period, but we offer the following preliminary Commission staff comments now for your consideration.

As the initial study correctly indicates, all repairs and improvements envisioned by the project as currently proposed would constitute development requiring a coastal development permit, among other permit requirements. The project would occur within Trinidad's delegated jurisdictional area for coastal development permit authority, and any local action approving this project would be appealable to the Coastal Commission

[1] Page 54, Initial Study Public Review Draft, January 2019

because all or a portion of the project is located between the first public road and the sea and within 300 feet of the top of the seaward face of a coastal bluff. In addition, any action by the City to either approve or deny a CDP for the project would also be appealable to the Commission on the basis that the proposed project qualifies as a major public works facility.[2] The standard of review for the project as currently proposed will be whether the development is consistent with the policies of the City of Trinidad's certified LCP, and (because part of the project is located between the first public road and the sea) the public access policies of the Coastal Act.

As discussed further below, depending upon the final project alternative selected, the project may trigger the need for an amendment to the LCP, in which case the standard of review for any changes to the certified Land Use Plan (LUP) would be whether the LUP as amended is internally consistent and conforms with the Coastal Act. The standard of review for any proposed zoning change would be whether the zoning ordinances, zoning district maps, or other implementing actions conform with, and are adequate to carry out, the provisions of the certified land use plan.

A. Clarification of Project Details

The Initial Study contains discrepancies and conflicting information regarding the proposed scope of work, and these discrepancies should be corrected and clarified. For example, page 6 states in part "This project proposes to stabilize a 200 foot segment of failing trail, by constructing an approximately 150-foot long retaining structure, and upgrading the trail to a 5-foot wide trail with 1-foot shoulders." However, page 8 states in part "As currently proposed, the retaining wall system will be approximately 50' to 100' in length," and page 10 similarly describes proposed construction of "50 to 100 feet of retaining wall."

Additionally, the graphic that depicts proposed project components appears outdated, and does not label all features depicted on the exhibit. Specifically, Figure 2a included with the Initial Study attachments is labeled "Van Wycke Bicycle and Pedestrain [*sic*] Connectivity Project Proposed Scope Change" and depicts interpretive signage, the Trinidad Memorial Lighthouse at its former location, and a newly-proposed 5.5-foot-wide walkway "connecting to [an] existing walkway" that no longer exists at the site due to landslide activity that occurred in recent years. The aerial image used in the graphic is undated, but also depicts walkways that no longer exist near the former lighthouse site. The graphic also contains symbology but without any legend describing the symbology.

The IS/MND also indicates in part that "The project is located mostly within existing right-of-way[3]..." Figure 3 ("Zoning & Project Parcels") included with the Initial Study attachments depict the location of the "Study Area," but it is unclear from the exhibit whether development will occur within the full mapped extent of the Study Area. For the purposes of evaluating consistency of the project with the policies of the certified LCP, it will be important to accurately depict the full extent of all proposed developments as an overlay on the zoning map to establish whether proposed development would also occur within the adjacent Open Space and/or Urban Residential Districts.

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[2] Coastal Act Section 30603

[3] Pages 60, Initial Study Public Review Draft, January 2019

Therefore, to clarify the scope of the proposed developments, we recommend that the City clarify and revise the project descriptions and supporting documentation accordingly.

B. Hazard Areas

The subject property is situated in an area subject to significant exposure to geologic hazards including strong earthquake shaking, landslides, and erosion. As indicated in the Initial Study, the project site is also primarily within or adjacent to areas that are designated as being "unstable," and with some areas designated "questionable stability" on Plate 3 of the Trinidad General Plan.

The current project proposes to rebuild and enlarge to 7 feet (5-foot-wide plus two, 1-foot-wide shoulders) a portion of Van Wycke trail that has eroded from landslide activity in recent years. As currently proposed, the trail improvements would rely on developing the bluff with an approximately 150-foot-long soldier pile retaining wall. The site of proposed development has been especially geologically active in the past two years, with active landslides forcing the closure of Van Wycke Trail and prompting emergency relocation of the Trinidad Memorial Lighthouse from its former site at Edwards Street near Trinity Street. Despite the recent landslide activity, the IS/MND concludes that the proposed project would have a less than significant impact on soil erosion or loss of topsoil, and would not site any development on geologically unstable areas[4].

IS/MND Findings

We are concerned that the IS/MND does not adequately evaluate current site conditions to factually support its findings and instead relies on geotechnical studies that are more than nine years old. In particular, the Draft Initial Study/MND relies on geotechnical studies and feasibility analyses conducted in 2011 prior to the recent landslide activity to support a recommendation for constructing a retaining wall that would stabilize the Van Wycke Trail site, as being "...the most economic, long-term solution other than, and in conjunction with, moving the trail as far upslope as possible." The 2011 geotechnical study prepared by Busch Geotechnical acknowledges that the study was only conducted at the "feasibility level" and did not quantitatively evaluate slope stability or evaluate "the probable increase in the base-of-bluff erosion rate due to the global rise of sea level and the associated increased storm intensity due to the warming of the oceans[5]."

The geologic findings also present conflicting information regarding the basis for determining that development would not be sited on geologically unstable areas, stating on the one hand that the project *has been* designed to increase stability[6], while also stating the project will be designed *in the future* to increase stability[7]." The IS/MND

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[4] Pages 33-39, Initial Study Public Review Draft, January 2019

[5] January 15, 2011. "Slope Instability along Part of the Van Wycke Trail, Trinidad CA." Prepared by Busch Geotechnical Consultants.

[6] Page 36, Initial Study Public Review Draft, January 2019 states in part "The retaining wall is designed to stabilize the Van Wycke Trail in a location that has been damaged by landslide activity..."

[7] Page 36, Initial Study Public Review Draft, January 2019 states in part "All applicable findings and recommendations of the existing and future geotechnical reports will be incorporated into the final design of the project as appropriate. However, because the final design may not be a soldier pile wall, existing recommendations have not been incorporated as mitigation measures at this time."

findings additionally indicate that the proposed project will not result in substantial soil erosion or the loss of topsoil[8], while also indicating that the project could result in up to 10,000 square feet of vegetation removal (including but not limited to the environmentally sensitive coastal bramble natural community) and 500 cubic yards of topsoil removal[9]. The IS/MND further states that the City Engineer will make findings as part of the *future* grading permit process 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 the provisions of the grading ordinance, zoning ordinance, and the general plan…[10]," but does not demonstrate as part of the current determination how the project has been designed to avoid adverse impacts on soil erosion.

Section 30253 of the Coastal Act requires in part that new development assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area. The findings in the IS/MND lack current information about site conditions or details about the project design in support of the statements regarding geologic hazards and risk. Additionally, the findings do not demonstrate that the development would not contribute to erosion or geologic instability, or destruction of the site or surrounding area over the economic life of the project. Thus, it is unclear how the City determined in the IS/MND that the project would not occur on geologically unstable soils or that the project would result in a less than significant impact, especially given recent landslide activity in the past two years that has affected both the Van Wycke Trail and other nearby areas where access improvements are proposed.

Future CDP Application

We understand that the City will be separately processing a coastal development permit (CDP) for the proposed project in the future. As indicated above, the standard of review for the proposed project would be whether the development is consistent with the policies of the City of Trinidad's certified LCP, and (because part of the project is located between the first public road and the sea) the public access policies of the Coastal Act. The Coastal Act requires that maximum public access shall be provided, but only where consistent with protection of fragile natural resources. For example, Section 30210 of the Coastal Act requires that maximum public access shall be provided consistent with public safety needs and the need to protect natural resource areas from overuse. Section 30214 of the Coastal Act provides that the public access policies of the Coastal Act shall be implemented in a manner that takes into account the capacity of the site and the fragility of natural resources in the area. It is unclear how expanding and improving the Van Wycke trail within an active landslide area could be approved consistent with public

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[8] Page 37, Initial Study Public Review Draft, January 2019 states in part "In general, the project is designed to reduce erosion potential through construction of the retaining wall and walkways along Edwards Street, where people are currently walking along unpaved areas at the top of the bluff."

[9] Page 8, Initial Study Public Review Draft, January 2019 states in part "Vegetation removal (up to 10,000 sq. ft.) would be required in order to construct the retaining wall. Without a final design, the amount of soil disturbance is difficult to determine. However, it is estimated that up to approximately 500 cubic yards of soil would also be disturbed."

[10] Page 38, Initial Study Public Review Draft, January 2019

safety and the need to minimize geologic hazards and avoid contributing to geologic instability.

The City's certified LCP also contains a number of provisions that limit development in unstable areas. For example, the narrative contained in Chapter II of the General Plan states in part that "Unstable areas should not be disturbed by any activity that increases soil absorption of water or disturbs vegetation or soils." General Plan Policy 3 states in applicable part that "Structures[11]... should not be located on unstable lands. Structures...should only be permitted on lands of questionable stability, or within 100 feet upslope of unstable lands or lands of questionable stability, if analysis by a registered geologist indicates that the proposed development will not significantly increase erosion, slope instability or sewage system failure." Additionally, Policy 5 states "Where access trails must traverse steep slopes they should be located away from unstable areas and improvements should be provided to minimize erosion and slope failures. Existing trails which are creating these problems should either be improved or closed."

As part of the analysis of the future CDP application for the proposed project, the City must demonstrate, consistent with the certified LCP and public access policies of the Coastal Act, that the proposed trail improvements would be sited and designed to avoid any disturbance to vegetation or soils in unstable areas, including but not limited to avoiding development of trails, retaining walls, or other structures on or within 100 feet of unstable lands. The City's analysis should include an evaluation of the bluff retreat rate and a "quantitative slope stability analysis" to determine whether the development will be stable over the life of the project. The analysis should also take into account the influence of sea level rise on bluff erosion and retreat. As discussed further below, the City should also include an analysis of alternative trail routes and improvements that would avoid development in unstable areas.

C. Alternatives Analysis

The IS/MND "evaluates the project assuming a retaining wall[12]" will be constructed as part of the proposed improvements and expansion of the Van Wycke Trail. The IS/MND describes a number of alternative design options that were considered but dismissed[13], including: (a) other slope stabilization options, (b) wider trail configurations, (c) shifting the trail slightly upslope and north of the failing bluff, and (d) permanently closing the portion of the Van Wycke Trail that is failing. In its consideration of trail closure, the City identified a number of reasons that trail closure would be undesirable, including but not limited to: (1) trail closure would require an amendment to Trinidad's LCP because the trail is identified in the LCP, (2) existing utilities within the trail alignment would need to be protected or relocated, and (3) trail closure does not meet the project objectives and is therefore outside of the scope of this analysis.

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[11] The City of Trinidad certified LCP (Zoning Ordinance Appendix A) defines "Structure" as "Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground."
[12] Pages 11, Initial Study Public Review Draft, January 2019
[13] Pages 10-11, Initial Study Public Review Draft, January 2019

Alternatives to Development in Geologically Unstable Areas

The alternatives analysis does not sufficiently evaluate the range of possible project alternatives and mitigation measures that should be considered in lieu of assuming construction of a retaining wall on a geologically unstable area. For example, while the City recognized the potential for closing the existing trail, none of the alternatives evaluates rerouting the trail to more geologically stable areas, such as but not limited to developing a dedicated, separated accessway along a portion of Edwards Street.

The IS/MND also inappropriately dismisses consideration of a number of alternatives that have already been recommended during the City's outreach efforts with tribal representatives as "not meet[ing] the project objectives" and "outside of the scope of this analysis." For example, the IS/MND describes comments received from representatives of the Yurok Tribe, including expressed concerns regarding "the sizeable impact to the landscape required to construct this section of trail on this unstable slope[14]," and questions regarding the need of having the stretch of trail in the proposed location "relative to the substantial impacts to the landscape and a known area of Yurok habitation." The IS/MND also indicates that the Yurok Cultural Committee's requests for the closure of the existing trail and establishment of an alternative route along Edwards and Galindo Street to replace it are outside the scope of this project[15]:

> *Several of these requests, such as relocating existing utilities, and closing the Galindo Trail are outside the scope of this project and this environmental analysis. In addition, abandoning the failing trail and rerouting pedestrian traffic along Edwards and Galindo would not meet the project objectives and is also outside the scope of this environmental analysis, because a different process and a different set of analyses would be required, including an LCP amendment.*

The IS/MND does not explain why redirecting pedestrian traffic to an alternate route would not meet the stated project purpose of increasing connectivity within the community for pedestrian and bicycle traffic. As indicated above, Section 30253 of the Coastal Act requires in part that new development assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area. It is unclear how the City could propose trail expansion and construction of a retaining wall on a geologically unstable site that has been subject to recent landslide activity without evaluating other feasible, less environmentally damaging alternatives that would also increase pedestrian and bicyclist connectivity through town.

While the Van Wycke Trail is identified as a formal trail on the Circulation Map (Plate 4) of the certified LCP, and any CDP authorizing closure of the trail would be inconsistent with the certified LCP without an LCP amendment, any CDP authorizing development on geologically unstable areas would also likely be inconsistent with the policies of the certified LCP and the public access policies of the Coastal Act as described above. Thus, rerouting the trail and adopting an LCP amendment to modify the designated trail system

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[14] Page 76, Initial Study Public Review Draft, January 2019
[15] Page 77, Initial Study Public Review Draft, January 2019

within the City should be evaluated as part of a more comprehensive alternatives analysis.

Alternatives to Developing Shoreline Protective Devices

Coastal Act Section 30235 acknowledges that seawalls, revetments, cliff retaining walls, groins and other such structural shoreline protective devices or "hard" methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, Section 30235 limits the construction of shoreline protective works to those required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion. The Coastal Act provides these limitations because shoreline structures can have a variety of adverse impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach.

In considering a permit application for the placement/construction of shoreline protection, Coastal Act Section 30235 requires that shoreline protection shall be permitted only when all of the following four criteria are met: (1) the proposed shoreline and bluff protection would protect an existing structure, public beach area, or coastal dependent use; (2) the existing structure, public beach area, or coastal dependent use is in danger from erosion; (3) shoreline-altering construction is required to protect the existing threatened structure or public beach area, or to serve the coastal dependent use; and (4) the required protection is designed to eliminate or mitigate its adverse impacts on shoreline sand supply. In addition, even where all four criteria are satisfied, the Coastal Act requires that the shoreline protection structure must be located, designed, and maintained in a manner that is consistent with other applicable policies of the Coastal Act, to the maximum extent feasible.

The Coastal Act also requires such projects to be sited and designed to protect views to and along the ocean and scenic coastal areas; to eliminate or mitigate adverse impacts on local shoreline sand supply; to avoid impediments to public access; to be compatible with the continuance of sensitive habitat and recreation areas; and to prevent impacts which would degrade sensitive habitats, parks, and recreation areas.

As a result of the potential impacts arising from shoreline protective device projects, it is critical to have an alternatives analysis based upon the technical and resource data specific to the site. The analysis should include an evaluation of alternatives that would avoid construction of a retaining wall or other shoreline protective device. The City's analysis should also include one or more cross sections/profiles of the armoring area showing the relationship and elevations of the armoring material, access easement areas, beach/sand areas, and public access pathways.

Alternatives to Development in ESHA

The alternatives analysis should also evaluate alternative project designs that would avoid impacts to environmentally sensitive habitat areas (ESHAs). In particular, the IS/MND identifies the presence of "two locations of the coastal bramble (*Rubus (parviflorus, spectabilis, ursinus*) Shrubland Alliance) vegetation community, considered ESHA by the

California Coastal Commission and protected by Coastal Act Policy 30240[16]." The IS/MND additionally states that "The Project may impact the coastal bramble vegetation community, a sensitive natural community, within the vicinity of the proposed retaining wall.[17] Coastal Act Section 30240(a) states that environmentally sensitive habitat areas (ESHAs) shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Section 30240(b) of the Coastal Act requires that ESHAs be protected against any significant disruption of habitat values potentially resulting from adjacent development.

Therefore, as part of the analysis of potential impacts to natural resources, the City should provide an alternatives analysis that evaluates the proposed project and other potential development alternatives, including the "no project" alternative; that documents whether or not feasible alternatives exist that could avoid temporary and/or permanent impacts to ESHAs; and that demonstrates which development option is the least environmentally-damaging feasible alternative, as compared to the other alternatives. If the alternatives analysis demonstrates there are no feasible alternatives that do not encroach into ESHA or ESHA buffer areas, the City should demonstrate how the proposed development implements all feasible mitigation measures.

D. LCP Amendment

The IS/MND dismisses consideration of any potential project components that could necessitate an amendment to the LCP. However, an LCP amendment may be warranted and preferable due to Coastal Act issues raised by the project as currently proposed. Furthermore, any application to amend the LCP to allow relocation of the Van Wycke Trail could be timely because the City is currently undertaking efforts to comprehensively update its LCP, and proposed changes to formal trail designations could be included as part of the City's current LCP amendment process.

In its review of any changes to the certified Land Use Plan (LUP), the Commission would evaluate whether the LUP as amended is internally consistent and conforms with the Coastal Act. The Coastal Act requires accessways proposed in a LUP: assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area; be sited and designed to protect views to and along the ocean and scenic coastal areas; eliminate or mitigate adverse impacts on local shoreline sand supply; avoid impediments to public access; be compatible with the continuance of sensitive habitat and recreation areas; and prevent impacts which would degrade sensitive habitats, parks, and recreation areas. The standard of review for any proposed zoning change would be whether the zoning ordinances, zoning district maps, or other implementing actions conform with, and are adequate to carry out, the provisions of the certified land use plan.

The proposed improvements along Edwards Street and Van Wycke Street also appear premature in light of the City's current LCP update efforts to evaluate coastal hazards and risks and develop a coastal erosion hazard management plan within the project area. On

[16] Page 23, Initial Study Public Review Draft, January 2019
[17] Page 21, Biological Report, Van Wyck Bicycle and Pedestrian Connectivity Project, prepared November 2018 by SHN for the City of Trinidad

August 9, 2017 the Coastal Commission awarded the City $51,000 covering three Tasks to support its efforts in updating its LCP consistent with the California Coastal Act, with special emphasis on planning for sea-level rise and climate change (Agreement No. LCP-17-03). The Commission's funding supports development of a Coastal Erosion Hazard Management Plan under Task 1. This Task includes an assessment of "coastal hazards and risks and development of a range of options to address those risks based on existing geologic studies with a focus on Edwards and Van Wycke Streets," with deliverables that include preparation of "draft and final Edwards Street Coastal Erosion Hazard Management Plan/Recommendations" to be completed in 2019.

E. Scenic and Visual Resources (Coastal Act Section 30251)

The IS/MND states that the project "proposes to stabilize a 200 foot segment of failing trail, by constructing an approximately 150-foot long retaining structure, and upgrading the trail to a 5-foot wide trail with 1-foot shoulders.[18]" The IS/MND indicates that the project site is visible from several locations, including Launcher Beach, Trinidad Bay, Trinidad Head, Scenic Drive to the south, three formal vista points designated in the Trinidad General Plan, and other vista points located throughout the area.

Section 30251 of the Coastal Act requires in part that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and that permitted development shall be sited and designed to: (a) protect views to and along the coast, (b) minimize the alteration of natural landforms, and (c) be visually compatible with the character of the surrounding area.

Additionally, to be consistent with the design and view protection criteria enumerated in Sections 6.19(C) and (D) of Trinidad's certified zoning ordinance, new construction in the City of Trinidad must (in part), (1) minimize the alteration of natural land forms; (2) use construction materials that reproduce natural colors and textures as closely as possible and are compatible with natural and man-made surroundings; (3) use "attractive vegetation common to the area" to integrate the man-made and natural environments, to screen or soften the visual impact of new development, and to provide diversity in developed areas; (4) include underground service connections where possible; (5) ensure the scale, bulk, orientation, and architectural character of the structure and related improvements are visually compatible with the area and designed and sited to be visually unobtrusive; and (6) protect public views to the ocean and scenic coastal areas.

The IS/MND states in part that "The new retaining wall will be the most visually obtrusive improvement[19]," and that the amount of wall above the excavated slope that will be visible is unknown at this time. The City estimates that around six to eight feet of wall will be visible, but does not provide any design specifications or any visual renderings or simulations of the wall itself to support its findings that the wall would not substantially damage scenic resources or degrade the existing visual character or quality of the site and its surroundings.

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[18] Page 6, Initial Study Public Review Draft, January 2019
[19] Page 13, Initial Study Public Review Draft, January 2019

As indicated above, the IS/MND findings additionally indicate that the proposed project will not result in substantial soil erosion or the loss of topsoil[20], while also indicating that the project could result in up to 10,000 square feet of vegetation removal and 500 cubic yards of topsoil removal[21]. The IS/MND relies largely on vegetation planting and invasives removal "to help screen the wall from view and soften the look of the retaining wall" and further stating "Vegetation grows quickly in this area, and it is likely that the wall will not be readily visible other than from the trail itself within a few years.[22] The potential success of vegetation growth at the site is likely to be compromised by poor soils, steep topography, and the intensive coastal winds and salt spray from Trinidad Bay. Successful revegetation could take several years to a decade or more to fully achieve a height that functions as screening. Furthermore, revegetation would occur on unstable slopes subject to active landsliding that could readily dislodge any planted materials and disrupt revegetation efforts.

Therefore, the City's analysis of visual impacts should rely less on establishment of vegetative screening, and evaluate alternatives that would be less "visually obtrusive" and more compatible with the character of the surrounding area while minimizing the alteration of natural landforms. We also recommend that the City include visual simulations depicting views of the project area from various public vantage points in its environmental analysis to facilitate review of the visual effects of any retaining wall options that may continue to be considered as part of the proposed project.

E. Public Recreation and Access

As described above, the project proposes to improve and expand current accessways to increase connectivity within the community for pedestrian and bicycle traffic. The proposed improvements would expand 200 feet of Van Wycke Trail to five feet wide with two, 1-foot-wide shoulders and construction of an approximately 150-foot-long retaining wall to stabilize the trail.

Section 30210 of the Coastal Act requires that maximum public access shall be provided consistent with public safety needs and the need to protect natural resource areas from overuse. Section 30212 of the Coastal Act requires that access from the nearest public roadway to the shoreline be provided in new development projects, except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or where adequate access exists nearby. Section 30214 of the Coastal Act provides that the public access policies of the Coastal Act shall be implemented in a manner that takes into account the capacity of the site and the fragility of natural resources in the area. As stated previously, the City should address how expanding and improving the Van Wycke trail within an active landslide area could be approved consistent with public safety and the need to minimize geologic hazards and avoid

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[20] Page 37, Initial Study Public Review Draft, January 2019 states in part "In general, the project is designed to reduce erosion potential through construction of the retaining wall and walkways along Edwards Street, where people are currently walking along unpaved areas at the top of the bluff."

[21] Page 8, Initial Study Public Review Draft, January 2019 states in part "Vegetation removal (up to 10,000 sq. ft.) would be required in order to construct the retaining wall. Without a final design, the amount of soil disturbance is difficult to determine. However, it is estimated that up to approximately 500 cubic yards of soil would also be disturbed."

[22] Page 13, Initial Study Public Review Draft, January 2019

contributing to geologic instability. The City should also evaluate alternative, less environmentally damaging feasible project designs that could afford increased bicycle and pedestrian connectivity within the community.

As part of any proposal to develop a retaining wall upslope of the shoreline, the City should also evaluate whether the proposed retaining wall could interfere with the public's use of the coastal beaches downslope of the retaining wall, especially over time with rising sea levels if sand transport. In particular, the City's analysis should evaluate the effects of the proposed retaining wall on sand transport and littoral processes, including: (1) any long-term loss of beach that could result by fixing the bluff (i.e., "passive erosion"); and (2) any effects on the amount of material that would have been supplied to the beach if the bluff were to erode naturally.

Thank you again for the opportunity to provide comments on the proposed project at this early stage in the planning process. If you have any questions, please don't hesitate to contact me at (707) 826-8950, extension 4.

Sincerely,

Robert S. Merrill FOR

TAMARA L. GEDIK
Coastal Program Analyst

City of Trinidad Planning Commission
Van Wycke Bicycle and Pedestrian Connectivity Project
Public Hearing February 20, 2019

The original idea was to repair the Van Wycke trail. The title of the project does not mention the Van Wycke Trail but is Van Wycke Bicycle and Pedestrian Connectivity Project.
How did we get to this point? I do not recall from the previous meetings that the residents asked for the expansion of the project into what it is now.

How these two projects became one may have something to do with the grant from CalTrans for the trail, but it is not clear to me that the residents of Trinidad want this.

Did the grant agency require this additional project to approve funding?
How was the scope of work expanded?
Either way, I feel that the original problem with erosion on a popular trail became much more than that without full disclosure to the residents of what these changes would look like and how it would affect our community. I remember members of the community were confused by the presentation by the City Engineering firm to either the Planning Commission or City Council.

It feels to be over aggressive for our small community to have all of the changes to the current roads. One need only need to look at the town of Mendocino, which has many more visitors to their community, to see that they do not have all of the markings on the road and signage that is being recommended for Trinidad. Their town is full of pedestrians and has much more commerce than we do.

My opinion is that a project of this magnitude will continue to degrade the rural, seaside destination in a manner that is not esthetically pleasing. Painting the streets with color or even blocks of white in a material that will degrade in the elements of sun, sand and salt to eventually wash into the ocean, into the designated area of biological significance does not make sense.

Trinidad would benefit from an overall plan to inspire and aspire to reflect the natural beauty that surrounds us. I do not see how this plan will do that. There are no images to look at, but Trinidad could look like Central Avenue in McKinleyville. Do we want this? Do we think it is attractive?

Safety could be argued for necessity of such a project. I ask everyone to consider what these projects are doing to our community. Are they enhancing the natural beauty and quality of Trinidad? Does it look like a freeway going through town? Do we really think that less cars will come into town if we provide a designated bike lane? Highway 101 more dangerous to cyclists than our town of Trinidad to ride through.

Despite the recommendation of the City Planner, I do think that it is appropriate to discuss the merits of the project since this will affect the town's atmosphere and ambiance for years to come.

Thank you for the opportunity to speak tonight.

Leslie Farrar