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F8a

A-1-ARC-22-0010 (City of Arcata)

November 18, 2022

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November 10, 2022

VIA E-MAIL

Coastal Commission,
North Coast District Office
NorthCoast@coastal.ca.gov

Re: Comments by Bayside Cares Concerning Appeal No.: A-1-HUM-22-0010 (City of Arcata, City of Arcata), Agenda Item F8a at Coastal Commission Meeting, November 18, 2022, Commencing at 9:00 a.m.

Dear Members of the California Coastal Commission:

“Substantial Issues” are raised by the above-referenced appeal by Bayside Cares of the Coastal Development Permit issued to the City of Arcata.

SUBSTANTIAL ISSUE #1: There Was No Consultation with Fish & Wildlife After Three-Parameter Wetlands Were Disclosed, and that the Project Would Fill These Three-Parameter Wetlands, Was Disclosed, in the Partially Recirculated DEIR.

The original DEIR did not disclose the presence of three-parameter wetlands next to Jacoby Creek Road, and did not disclose that the Project would involve filling approximately 2,650 square feet of these three-parameter wetlands.

The original DEIR stated that no wetlands would be filled. (Please see excerpt of Partially Recirculated DEIR, attached as **Attachment “A”**, particularly underlined portions.)

The City did not disclose the presence of three-parameter wetlands next to Jacoby Creek Road, and that the Project would involve filling approximately 2,650 square feet of these three-parameter wetlands, until December 10, 2021 in the City’s Partially Recirculated DEIR.

The City did not consult with the Department of Fish & Wildlife after it had finally disclosed the presence of three-parameter wetlands next to Jacoby Creek Road, and that the Project would involve filling approximately 2,650 square feet of these three-parameter wetlands, which it did not disclose until December 10, 2021 in the City’s Partially Recirculated DEIR.

The City only consulted with the Department of Fish & Wildlife when the original DEIR incorrectly stated that *no* wetlands would be filled and that there were no three-parameter wetlands along Jacoby Creek road.

The Department of Fish & Wildlife submitted its comments on the original DEIR on August 31, 2021, four (4) months before the City disclosed that there are three-parameter wetlands next to Jacoby Creek Road, and four (4) months before the City disclosed that the Project would involve filling approximately 2,650 square feet of these three-parameter wetlands.

Chapter 3, page 43, Section 1(b) of the Local Coastal Program states: “The review of these sensitive habitat areas and the identification of appropriate land uses and/or **mitigation measures shall be in cooperation with the Department of Fish and Game.**” [Now called the Department of Fish and Wildlife.]

Since the City did not consult with the Department of Fish & Wildlife after 12/10/21, after it finally disclosed the presence of three-parameter wetlands next to Jacoby Creek Road and that the Project would be filling them, in its Partially Recirculated DEIR, there is a “Substantial Issue” as to the Coastal Development Permits issued to the County of Humboldt and to the City of Arcata, as the Local Coastal Plans were violated.

SUBSTANTIAL ISSUE #2: Increased Road Runoff from an Additional Mile of Impervious Surface Potentially Adversely Effects Coastal Wetlands, This Was Not Disclosed or Mitigated, and There Was No Consultation as to This Potentially Adverse Effect with Fish & Wildlife.

The Project adds approximately one mile of impervious surfaces, including a 180’ diameter roundabout, sidewalks and bike paths. More impervious surface means more surface runoff water. The water will be running off a roundabout and roads traveled by motorized vehicles, so it will be contaminated with petrochemical components. The Project does not involve construction of a new storm drain system. The EIR recites that it is using the existing storm drain system, and there is no map or plan of the current storm drain system.

As is apparent from the numerous comments in the administrative records, the area immediately adjacent to the APE floods every year, because the existing storm drain system is plugged up or otherwise inadequate to handle even the runoff water it receives, before the additional of a mile of additional impervious surfaces.

As revised by the Partially Recirculated DEIR, the Project involves filling three-parameter wetlands at the side of Jacoby Creek Road with a culvert and covering them to create a parking area. The water from these wetlands, together with the new, increased runoff water from the roundabout, then goes into the existing storm drain system, across the road, and into the Coastal Wetlands at the West side of Old Arcata Road.

The EIR does not disclose that the contaminated runoff water from the roundabout, which will be much greater in quantity than what now exists because of all the added impervious surfaces, will run into the Coastal Wetlands.

The City did not consult with the Department of Fish & Wildlife concerning this potential adverse effect on the Coastal Wetlands, as required by the LCP. It did not consult with Fish & Wildlife on this potentially adverse effect and did not even disclose this potential adverse effect.

The amount of runoff water going into the Coastal Wetlands will be greatly increased when the area floods, as it yearly does. With a mile of more impervious surfaces, the flooding

can be expected to be even more severe, bringing a great deal of more contaminated water into the Coastal Wetlands.

The water may also be contaminated with raw sewage. In addition, the Arcata City Code requires homeowners to bear the entire cost of replacing defective sewer laterals themselves. As set forth in the administrative record, the cost can exceed \$25,000. If the homeowners do not pay this considerable sum for replacing their sewer laterals, sewage will be added to the road runoff water going into the Coastal Wetlands.

Because the Project will be filling wetlands, and because the filling of wetlands and insertion of a culvert in the wetlands next to Jacoby Creek Road as part of the Project, **directly sends contaminated road runoff water to Coastal Wetlands and to the Humboldt Bay**, and also occurs in an area the FEIR acknowledges contains endangered red legged frogs and special status plants, the City and CALTRANS were required to consult with the Coastal Commission and with the Department of Fish & Wildlife concerning the wetland filling, the contaminated road runoff water going into the Coastal Wetlands and Humboldt Bay and mitigation of these adverse effects. (*See, e.g., Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 936.)

The Local Coastal Program requires mitigation of adverse effects on wetlands to be “in cooperation with the Department of Fish and Game” (now called the Department of Fish & Wildlife), so this Project violates the Local Coastal Program, as well as the CEQA. (*Public Resources Code* § 21003; CEQA Guidelines, § 15080.)

CONCLUSION

On the basis of the foregoing, together with the administrative record, Substantial Issues exist as to Bayside Cares’ appeal of the Coastal Development Permit issued to the City of Arcata.

Very truly yours,

STOKES, HAMER, KIRK & EADS, LLP

Chris Johnson Hamer

By: _____
Chris Johnson Hamer

CJH/ja

Attachment A: Excerpts from Partially Recirculated DEIR

ATTACHMENT “A”



Partially Recirculated

Draft Environmental Impact Report

**Old Arcata Road Rehabilitation &
Pedestrian/Bikeway Improvements**

City of Arcata

December 10, 2021



Partially Recirculated Draft Environmental Impact Report Old Arcata Road Rehabilitation & Pedestrian/Bikeway Improvements

SCH#: 2021010176

This document has been prepared by:



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December 10, 2021

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1. Introduction and Summary

This partially recirculated Draft Environmental Impact Report (EIR) has been prepared to correct previously omitted wetland impacts and environmental impact analysis related specifically thereto. The Draft EIR was previously circulated from August 9, 2021 to September 27, 2021 following the public scoping process described in Section 1.4 below. A Final EIR was issued and publicly posted on November 23, 2021. Following posting of the Final EIR, the inadvertent omission of wetland impacts was discovered on December 1, 2021, and the City Council's planned certification of the EIR was subsequently postponed, pending the completion of the recirculation process as outlined in Section 15088.5 of the CEQA Guidelines. The partially recirculated Draft EIR will be electronically filed with the Office of Planning and Research on December 10, 2021 and recirculated for a 45-day period from December 13, 2021 through 5:00 p.m. on January 27, 2022.

Revisions to the partially recirculated Draft EIR are summarized in Table 1-1 and are predominantly limited to environmental impact analysis related to wetlands and special status plants. As an exception, errata from the previously posted Final EIR was brought forward into the Section 2 – Project Description. In accordance with Section 15088.5(c) of the CEQA Guidelines, the City requests that comments on the partially recirculated Draft EIR be limited to only the modifications presented in the recirculated document. In the updated Final EIR, the City will only respond to comments related to the portions of the Draft EIR that were recirculated per CEQA Guidelines 15088.5(f)(2). Specifically, the City will only respond to comments related to the updated impact analysis for special status plants and wetlands. For ease of reference, the City has included the entirety of the sections in which modifications related to wetlands, special status plants, and errata clarifications in the Project Description were made. Additions to text in Section 2 – Project Description, Section 3.3 – Biological Resources, and Section 4 – Alternatives Description and Analysis are shown in **bold underline** format.

Table 1-1 *Revisions in the Partially Recirculated Draft EIR*

Section	Summary of the Revision
Section 1 – Introduction and Summary	<ul style="list-style-type: none"> Added a description of the recirculation rationale and process. Summary of the revisions made to the Draft EIR during recirculation. Added new mitigation measures specific to special status plants and wetlands in Table 1.2.
Section 2 – Project Description	<ul style="list-style-type: none"> Brought forward errata from the previously posted Final EIR. Specification of the pavement overlay thickness added to Section 2.5.1 – Repaving Old Arcata Road and Adjacent Bike Lanes. Brought forward errata from the previously posted Final EIR. Specification of detectable warning surfaces added to Section 2.5.4 – Crosswalks and Sped Humps. Errata update to clarify existing speed humps will be upgraded and new speed humps are not currently proposed in Section 2.5.4. Included minor text edits in Section 2.5.9 to clarify utility improvements are located in the public right of way only and upgrades/repairs would occur if the utilities were found to be defective upon inspection during the course of road resurfacing. Addition of Section 2.5.10 – Wetland Establishment. Section 2.9 – Required Approvals updated to reflect permits required as a result of impact to wetlands.

Section	Summary of the Revision
Section 3.3 – Biological Resources, Impact BIO-c	<ul style="list-style-type: none"> Added Mitigation Measure BIO-2 to require pre-construction plant surveys along an approximate 200 linear foot reach of Jacoby Creek Road under Impact BIO-A. Updated environmental impact analysis under Impact BIO-C specifically related to impacts to wetlands. Added Mitigation Measure BIO-3 and Mitigation Measure BIO-4 to avoid, minimize, and compensate for wetland impacts.
Section 4 – Alternatives Description and Analysis	<ul style="list-style-type: none"> Updated text in Section 4.3.2 - Biological Resources, Section 4.4 – Comparison of Alternatives, Table 4.1, and Section 4.5 – Environmentally Superior Alternative to reflect wetland impacts to occur under the proposed Project and Alternative 2.
Appendix A – Updated 30% Design Sheets	<ul style="list-style-type: none"> Corrected 30% Design Sheet C113 to show all delineated wetlands along Jacoby Creek Road. Corrected 30% Design Sheets C106, C107, and C108 to clarify existing speed humps will be upgraded and new speed humps will not be constructed.

1.1 California Environmental Quality Act

The California Environmental Quality Act (CEQA) requires that discretionary decisions by public agencies be subject to environmental review. CEQA requires an EIR to be prepared when it can be determined that substantial evidence supports a fair argument that significant environmental impacts may result from a project. The purpose of an EIR is to identify the significant effects of the project on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided (Public Resources Code [PRC] 13, Section 21002.1[a]). Each public agency is required to mitigate or avoid the significant effects on the environment of projects it approves or carries out whenever feasible. The environmental effects of a project that must be addressed include the significant effects of the project, growth-inducing effects of the project, and significant cumulative effects.

The purpose of an EIR is not to recommend either approval or denial of a project. Rather, CEQA requires decision-makers to balance the benefits of a project against its unavoidable environmental effects in deciding whether to carry out a project. The Lead Agency will consider the analysis in the Draft EIR and partially recirculated Draft EIR, comments received on the Draft EIR and partially recirculated Draft EIR, and responses to those comments before making a final decision. If significant environmental effects are identified, the Lead Agency must adopt "Findings" indicating whether feasible mitigation measures or alternatives exist that can avoid or reduce those effects. If environmental impacts are identified as significant and unavoidable after proposed mitigation, the Lead Agency may still approve the project if it determines that the social, economic, or other benefits outweigh the unavoidable impacts. The Lead Agency would then be required to prepare a "Statement of Overriding Considerations" that discusses the specific reasons for approving a project, based on information in the Draft EIR and partially recirculated Draft EIR, comments received on the Draft EIR and partially recirculated Draft EIR, and other information in the administrative record.

The partially recirculated Draft EIR follows the public circulation of the Draft EIR and is specific to environmental impacts related to wetlands and special status plants only and has been prepared and publicly circulated per Section 15088.5 of the CEQA Guidelines. This partially recirculated Draft EIR has been prepared by City of Arcata for the proposed Old Arcata Road Rehabilitation & Pedestrian/Bikeway Improvements Project (Project) pursuant to CEQA (PRC Section 21000 et seq.) and the CEQA Guidelines (Title 14 California Code of Regulations [CCR] Section 15000 et seq.).

1.2 Type of Environmental Impact Report

This Draft EIR is a Project EIR, as opposed to a Program EIR, pursuant to CEQA Guidelines Section 15161. A Project EIR is the most common type of EIR, examining the environmental impacts of a specific project. This type of EIR focuses on the changes in the environment that would result from the construction, development, and operation of a specific project.

1.3 Intended Uses of the EIR

The purpose of an EIR is to provide a clear understanding of the environmental impacts associated with the construction and operation of a project that is proposed by a public agency or private interest. EIRs are prepared to meet the requirements of CEQA when a proposed project may have a potential “significant” impact on the physical environment. An EIR is defined by the CEQA Guidelines as “... a detailed statement prepared to describe and analyze significant environmental effects of a project and discuss ways to mitigate or avoid the effects” (Title 14 CCR Section 15362). An EIR must include a description of the physical environmental conditions in the vicinity of a project, as they exist at the time the Notice of Preparation (NOP) is published, from both a local and regional perspective. This environmental setting normally constitutes the baseline physical

conditions by which the Lead Agency determines whether an impact is significant. The EIR is used by decision-makers, Responsible and Trustee Agencies, and the public to understand and evaluate project proposals and assist in making decisions on project approvals and required permits.

EIRs are prepared under the direction of a Lead Agency. The Lead Agency is the decision-making body that would ultimately certify the adequacy of the EIR and approve the implementation of a project. The Lead Agency for the proposed Project is the City of Arcata (City).

In addition to the Lead Agency, other Responsible and Trustee Agencies may use this document in approving permits or providing recommendations for the Project. For this Project, these agencies and permits may include:

- City of Arcata Coastal Development Permit
- Humboldt County Coastal Development Permit
- Humboldt County Grading Permit
- Humboldt County Encroachment Permit
- North Coast Regional Water Quality Control Board Clean Water Act Section 401 Water Quality Certification
- USACE Clean Water Action Section 404 permit

1.4 Public Scoping Process and Summary of the Environmental Review Process to Date

On May 14, 2021, the City of Arcata issued an NOP for the Project. The NOP was issued in accordance with the CEQA Guidelines (Title 14 CCR Section 15082) with the intent of informing agencies and interested parties that an EIR would be prepared for the Project. A copy of the NOP can be found in Appendix A. The NOP was circulated between May 14, 2021, and June 21, 2021. An agency scoping meeting for the Project was held on-site at the City’s pump station near the intersection of Old Arcata Road and Jacoby Creek Road. A public scoping meeting was held at the D Street Neighborhood Center on July 1, 2021. Comments provided in response to the NOP and during the public scoping meeting have been summarized by the City in Appendix B1 (Public Scoping Memo). Agency comments are included as Appendix B2 (Agency Scoping Comments). Additional comments received after the completion of the Final Initial Study/Mitigated Negative Declaration (ISMND; see Section 1.8 – Areas of Controversy and Key Issues to be Resolved) at the previous public hearing for the Project on May 19, 2021 and July 30, 2021 are included in their entirety in Appendix B3 (Public Scoping Comments).

The Draft EIR was initially made available for a 45-day public review on August 9, 2021. The review period ended at 5:00 pm on September 27, 2021. The document was made available for review at Arcata City Hall, located at 736 F Street, Arcata, California, 95521, the Arcata Public Library, located at 500 7th St, Arcata, CA 95521, and online at: <https://www.cityofarcata.org/720/Old-Arcata-Road-Design-Project>. The DEIR was sent to the State Clearinghouse and was published on August 9, 2021 for distribution to State agencies, and was distributed to local, State, and federal responsible and trustee agencies and tribal governments. The general public was advised of the DEIR through a Notice of Availability posted at the County Clerk's Office as required by law, and through a posting in the local newspaper, the Times Standard, on August 8, 2021. A public hearing before the Planning Commission on October 12, 2021 to receive comments on the DEIR was held after the end of circulation period to provide additional opportunity for comment. The Notice of Availability of the Draft EIR was also sent to the listserv of parties requesting notice on the project (217 recipients) and the City's "Land Use Planning and Environmental Determinations" listserv (94 recipients), as well as direct mailing to adjacent property owners and residents. Postcards were sent to 202 owners and 99 residents within and surrounding the Project Area boundary.

A Final EIR was prepared and provided to the City Council for review and consideration of certification of the EIR as a full disclosure of potential impacts, mitigation measures and alternatives. The Final EIR was sent to the public agencies who commented on the DEIR at least 10 days prior to the proposed certification date of the EIR per CEQA Guidelines Section 15088(b). Following posting of the Final EIR, the inadvertent omission of wetland impacts was discovered, and the City Council's planned certification of the EIR was subsequently postponed, pending the completion of the recirculation process as outlined in Section 15088.5 of the CEQA Guidelines.

1.5 Effects Found Not to be Significant

To provide more meaningful public disclosure, reduce the time and cost required to prepare an EIR, and focus on potentially significant effects on the environment of a proposed project, Lead Agencies can focus the discussion in the EIR on those potential effects of a project which the Lead Agency has determined are or may be significant. Lead agencies may limit discussion on other effects to a brief explanation as to why those effects are not potentially significant (PRC Section 21002.1 (e); CEQA Guidelines Sections 15128 and 15143). Effects related to Agricultural and Forest Resources, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation were found not to be significant. These resource categories are further discussed in Chapter 5 of this EIR. Information used to determine which impacts would be potentially significant was derived from a review of the Project in the preparation and public review of the Initial Study, field work, feedback from agency consultation and input, and comments received on the NOP.

1.6 Availability of the Partially Recirculated Draft EIR and Public Comment Period

The partially recirculated Draft EIR will be circulated for 45 days, from December 13, 2021 through 5:00 p.m. on January 27, 2022, to allow interested individuals and public agencies to review and comment on the document. Document files will be made available upon request at Arcata City Hall, 736 F Street, Arcata, California and online at <https://www.cityofarcata.org/720/Old-Arcata-Road-Design-Project>. Comments may be submitted in writing via the United States Postal Service or via email. Written comments on the Draft EIR will be accepted by January 27, 2022 until 5:00 pm. Public agencies, interested organizations and individuals are encouraged to submit comments on the Draft EIR for consideration by the City. All written comments should be addressed to:

David Loya, Community Development Director
City of Arcata,
736 F Street
Arcata, CA 95521
707-825-5955
comdev@cityofarcata.org

In accordance with Section 15088.5(c) of the CEQA Guidelines, the City requests that comments on the partially recirculated Draft EIR be limited to only the modifications presented in the partially recirculated document as summarized in Table 1-1. In the updated Final EIR, the City will only respond to comments related to the parts of the Draft EIR that were recirculated. To facilitate understanding of the comments, please provide a separate sentence or paragraph for each comment and note the page and Chapter/Section of the Draft EIR to which the comment is directed. This approach to commenting will help the City provide a clear and meaningful response to each comment.

At the end of the public review period, written responses will be prepared for all substantive comments received on the Draft EIR during the circulation period. The comments and responses will then be included in the Final EIR and will be considered by the City Council prior to making a decision on the Project.

1.7 Organization of this Environmental Impact Report

This previously circulated Draft EIR is organized into Chapters, as identified and briefly described below. Chapters are further divided into Sections (e.g., Section 3.1, Aesthetics). The partially circulated Draft EIR only includes Chapter 1– Introduction and Summary, Chapter 2 – Project Description, Chapter 3.3 – Biological Resources, and Chapter 4 – Alternatives Description and Analysis.

- Chapter 1** **Introduction and Summary.** Chapter 1 describes the purpose and organization of the Draft EIR, context, and terminology used in the Draft EIR. This Chapter also identifies the key issues to be resolved in the Draft EIR and summarizes the environmental impacts and mitigation measures to reduce or eliminate those impacts.
- Chapter 2** **Project Description.** Chapter 2 describes the Project, including the Project objectives, location and setting, background, overall concept and proposed activities, and anticipated permits and approvals.
- Chapter 3** **Environmental Setting, Impacts and Mitigation Measures.** For each environmental resource area (broken out into sections), Chapter 3 describes the existing environmental and regulatory setting, discusses the environmental impacts associated with the Project, identifies feasible mitigation measures to reduce or eliminate those impacts, and provides conclusions on significance.
- Chapter 4** **Alternatives Description and Analysis.** Chapter 4 describes the alternatives to the Project that are being considered to mitigate the Project's environmental impacts while meeting the Project's objectives. This Chapter also identifies the Environmentally Suitable Alternative.
- Chapter 5** **Other CEQA Required Sections.** Chapter 5 describes the unavoidable significant impacts, growth-inducing, and irreversible impacts of the Project.
- Chapter 6** **List of Preparers.** Chapter 6 identifies the Draft EIR authors and consultants who provided analysis in support of the Draft EIR's conclusions.
- Appendices** **Appendices A-E.** The Draft EIR contained various key technical reports and publications that have been summarized or otherwise used for preparation of the Draft EIR. The partially recirculated Draft EIR includes two additional appendices. Appendix A of the partially recirculated Draft EIR includes four updated 30% design sheets. Appendix B of the partially recirculated Draft EIR includes documentation related to the June 2021 wetland delineation near Jacoby Creek Road.

1.8 Areas of Controversy and Key Issues to be Resolved

Section 15123 of the CEQA Guidelines requires an EIR to identify areas of controversy known to the Lead Agency, including issues raised by agencies and the public. The following provides a brief summary of the comments and issues identified during the scoping process for the EIR. Comments received on the NOP are included and summarized in Appendix B of this document.

An ISMND was previously prepared for the Project and publicly circulated. The ISMND was circulated between January 20, 2021 and February 22, 2021. The City received 39 comment letters and voicemails from agencies, organizations, and individuals. A Final ISMND and Response to Comments was then prepared and is posted on the City's website <https://www.cityofarcata.org/720/Old-Arcata-Road-Design-Project> in April 2021. The Response to Comments and Final ISMND are included as Appendix E.

Comments received on the ISMND included statements germane to CEQA as well as concerns regarding issues not considered to be environmental issues under CEQA, such as proposed changes to existing parking, potential changes to private landscaping and trees, requests for additional community engagement, and statements for or against the Project or specific elements thereof. Comments indicative of areas of controversy on environmental issues germane to CEQA included:

- Requests for an EIR and alternatives analysis, given statements in opposition to the proposed roundabout specifically, as well as concerns related to unanalyzed potential impacts to historic resources;
- Concerns related to how the Project would affect existing drainage issues within and near the Project Area;
- Concerns related to construction and operational noise, including potential noise related impacts that could affect the Mistwood School at the intersection of Jacoby Creek Road and Old Arcata Road; and
- Disagreement with the ISMND's findings pursuant to impacts to historic resources and Bayside's potential standing as a historic district.

1.9 Summary of Impacts and Mitigation Measures

Table 1-2 identifies, by resource category, the significant Project impacts, proposed mitigation measures, and post-mitigation significance. Additional information about the impacts and mitigation measures can be found in Chapter 3 of this Draft EIR, as referenced for each resource category.

Table 1-2 Summary of Impacts and Mitigation Measures. Note Text Additions Specific to the Partially Recirculated EIR are Indicated in **Bold Underline** Format for Ease of Reference.

Impact	Project Significance	Mitigation Measure	After-Mitigation Significance
Aesthetics			
Impact AES-1: Would the Project have a substantial adverse effect on a scenic vista?	Less than Significant	No mitigation proposed	Not Applicable
Impact AES-2: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact	No mitigation proposed	Not Applicable
Impact AES-3: In a non-urbanized area, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point).	Potentially Significant	AES-1: Minimize Temporary Visual Impacts The City shall avoid or substantially lessen visual impacts by reducing construction disturbance. Measures shall include: <ul style="list-style-type: none"> – The size of construction zones and staging areas shall be the minimum operable size. The location of such zones shall be adjusted to minimize visual impacts associated with construction vehicles, equipment and Project-specific activity. – To the extent feasible, alignments and locations of facilities shall be adjusted to avoid visually sensitive features and conditions that would result in major landform alteration or mature landscape removal. – The City shall restore or revegetate staging areas disturbed by construction activities, including restoring pre-Project topographic features and reseeded with species comparable to those removed or disturbed during construction. 	Less than Significant with Mitigation
Impact AES-4: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than Significant	No mitigation proposed	Not Applicable
Impact AES-C-1: Would the Project contribute to a cumulatively significant impact to visual resources?	Less than Significant	No mitigation proposed	Not Applicable
Air Quality			
Impact AQ-1: Would the Project conflict with or obstruct implementation of the applicable air quality plan?	Less than Significant	No mitigation proposed	Not Applicable
Impact AQ-2: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region	Less than Significant	No mitigation proposed	Not Applicable

- (2) *The release rate of storm runoff to adjacent wetlands shall not exceed the natural rate of storm runoff for a 50 year storm of 10 minute duration.*
- (3) *Stormwater outfalls, culverts, gutters, and the like shall be dissipated.*
- (4) *Septic systems or alternative waste disposal systems must meet standards of the Humboldt-Del Norte Health Department and the Regional Water Quality Control Board.*
- (5) *Areas disturbed during construction, grading, etc., within 100 feet of the mean high water line, shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area.*
- (6) *Development and construction shall minimize cut and fill operations and erosion and sedimentation potentials through construction of temporary and permanent sediment basins, sediment basins, seeding or planting bare soil, diversion of runoff away from graded areas and areas heavily used during construction, and, when feasible, avoidance of grading during the rainy season (November through April).*

3.3.4 Evaluation Criteria and Significance Thresholds

For the purpose of this Draft EIR, the evaluation criteria and significance thresholds summarized below are used to determine whether the Project would have a significant effect related to biological resources, as defined by the CEQA Guidelines (Appendix G), if it would:

- 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 CDFW, USFWS or NMFS;
- Have a substantial adverse effect on any riparian habitat or other Sensitive Natural Community identified in local or regional plans, policies, regulations, or by CDFW or USFWS;
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- 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;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

3.3.5 Methodology

The evaluation of potential impacts to biological resources is based on results from the NES completed for the Project, which includes by appendix a **2018** wetland delineation, rare plant evaluation, and ESHA evaluation (Northstar Environmental 2019; **Draft EIR** Appendix D – Natural Environment Study). Biological resources were evaluated with respect to the established BSA, which covers the extent of the proposed impact area plus a buffer zone of five to ten feet around the perimeter. The BSA was also extended north to include the existing roundabout at Buttermilk Lane.

A **second** wetland delineation update completed on June 23, 2021, focused on a small area near the intersection of Old Arcata Road and Jacoby Creek Road where a small wetland had been delineated in 2018, located outside the Coastal Zone. The area is commonly used for parking and is highly impacted by ongoing roadside use. The updated 2021 delineation concluded the evaluated area did not meet three-parameter wetland criteria (**nor two parameter definition**), and an updated Preliminary Jurisdictional Determination (PJD) and the updated GHD (2021) report was submitted to the USACE for review. The USACE concurred and issued a jurisdictional determination (USACE 2021).

The BSA as established in 2018 was subsequently expanded approximately 200 feet eastward on Jacoby Creek Road to accommodate proposed drainage improvements. The expanded area of the BSA along Jacoby Creek Road (approximately 200 feet) was not previously evaluated for wetlands. Thus, on December 3, 2021, the small addition to the BSA that was not captured in the initial 2018 or June 21, 2021, wetland delineation was evaluated for wetlands by a qualified wetland scientist, and an additional three-parameter wetland ditch was delineated along the north side of Jacoby Creek Road between the residences at 2266 Jacoby Creek Road and 2332 Jacoby Creek Road. Delineated wetlands along Jacoby Creek Road resulting from all three wetland delineation field evaluations are shown in Figure 3.3-1 – Jacoby Creek Road Wetlands.

3.3.6 Impacts and Mitigation Measures

Impact Analysis

Note- Impact analysis below is limited only to changes made in the partially recirculated Draft EIR specific to special status plants and wetlands. The balance of the impact analysis has been excluded from this partially recirculated Draft EIR for ease of reference but remains incorporated into Draft EIR without modification.

Impact BIO-a: Would the Project 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 with Mitigation)

Special-status Plant Species and ESHA

On June 18 and July 31, 2018 the BSA was surveyed in an effort to identify if federal, state and/or CNPS listed plant species were present. No special status species were observed during the protocol level surveys in 2018 within the BSA (GHD 2018). Vegetation mapping to screen for ESHA occurred on August 31, 2018 and September 20, 2018. Following the 2018 survey of the BSA, a small extension of the BSA occurred along Jacoby Creek Road between the residences at 2266 Jacoby Creek Road and 2332 Jacoby Creek Road. Prior to construction, special status plant surveys will occur along this stretch of roadway (approximately 200 linear feet), as described in Mitigation Measure BIO-2. Within the assessment area, three sensitive plant communities have a documented potential to exist according to the CNDDB, including upland Douglas-fir forest, northern coastal salt marsh, and northern foredune grassland (CDFW 2018a cited in Northstar Environmental 2019). None of these communities were observed within the BSA. Palustrine emergent persistent wetlands, palustrine broad-leaved deciduous scrub-shrub wetlands, and one-parameter wetlands occur within the BSA. The one-parameter wetlands meet the Coastal Commission requirements based on dominance of wetland (FAC or wetter) vegetation, in this case willows (*Salix* spp.) but would not be impacted by the Project. Given special-status plants were not documented in the Project Area and one-parameter wetlands that could be considered ESHA would not be disturbed, no impact would result.

Mitigation

Mitigation Measure BIO-2 shall be implemented to protect potential special status plants located between 2266 Jacoby Creek Road and 2332 Jacoby Creek Road.

Mitigation Measure BIO-2: Protection of Special Status Plants

Pre-construction surveys: Seasonally appropriate pre-construction surveys for special status plant species shall occur prior to construction within the planned area of disturbance along Jacoby Creek Road between 2266 Jacoby Creek Road and 2332 Jacoby Creek Road during the

appropriate blooming time (spring or summer) for the target species. Survey methods shall comply with CDFW rare plant survey protocols, and shall be performed by a qualified field botanist. Surveys shall be modified to include detection of juvenile (pre-flowering) colonies of perennial species when necessary. Any populations of special status plant species that are detected shall be mapped. Populations shall be flagged if avoidance is feasible and if populations are located adjacent to construction areas. The locations of any special status plant populations to be avoided shall be clearly identified in the contract documents (plans and specifications). If special status plant populations are detected where construction would have unavoidable impacts, the shoulder widening will be eliminated from the project at that location to avoid impacts to special status species.

With the implementation of Mitigation Measures BIO-2, potential impacts to special status plant communities and special status plants would be less than significant.

Impact BIO-c: Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Based on the wetland delineation completed in 2018 for the Project, the BSA consists of two types of identified U.S. Army Corp of Engineers (USACE) jurisdictional wetlands that were classified using Cowardin nomenclature from *Classification of Wetlands and Deepwater Habitats of the United States* (Federal Geographic Data Committee 2013 cited in GHD 2021), Palustrine Emergent Persistent Wetlands and Palustrine Broad-leaved Deciduous Scrub-Shrub Wetlands. The BSA also contains one-parameter wetlands meeting Coastal Commission requirements based only on wetland (FAC or wetter) vegetation (lack of hydric soils and wetlands hydrology). These wetlands were mapped based on dominant native vegetation as one-parameter willow series. The one-parameter willow series was mapped to the willow canopy dripline. Areas where the canopy extends over pavement were also mapped. The Palustrine Emergent Persistent Wetland and the Palustrine Scrub-Shrub, Broad leaved Deciduous Wetlands occurred primarily within roadside ditches along the northeast side of Old Arcata Road. The Palustrine Emergent Persistent Wetland consisted primarily of an herbaceous layer and the Palustrine Scrub-Shrub, Broad leaved Deciduous Wetlands consisted of tree, shrub, and herbaceous vegetation layers. Willow species (*Salix* spp.) were the dominant trees in the shrub-scrub wetlands often occurring with Himalayan blackberry (*Rubus armeniacus*) and California blackberry (*Rubus ursinus*) in the shrub layer. Hydrophytic vegetation was dominant within all wetland areas. Figures 2:1-5 of Appendix B –Natural Environment Report shows the results of the original 2018 wetland delineation.

A June 23, 2021, wetland delineation update focused on a small area near the intersection of Old Arcata Road and Jacoby Creek Road where a small wetland (0.002 acres of Palustrine Emergent) had originally been delineated in 2018. The area is commonly used for informal parking and is highly impacted by ongoing roadside use. The June 23, 2021, delineation included two pits to collect soil data. No obligate vegetation was observed. Observed plant species were facultative and/or invasive and non-native to California. Soils did not meet USACE/NRCS 2018 Hydric Soils Indicator Guide criteria. The updated June 23, 2021, delineation concluded the evaluated area did not meet two-parameter or three-parameter wetland criteria, and an updated wetlands report and Preliminary Jurisdictional Determination (PJD) was submitted to the USACE for review (Appendix B). The USACE concurred and issued a jurisdictional determination (USACE 2021).

On December 3, 2021, the addition to the BSA (approximately 200 linear feet) that was not captured in the initial 2018 or June 21, 2021 wetland delineation was evaluated for wetlands by a qualified wetland scientist, and an additional roadside ditch was mapped and presumed to be a three-parameter wetland along the north side of Jacoby Creek Road between the residences at 2266 Jacoby Creek Road and 2332 Jacoby Creek Road. Delineated wetlands along Jacoby Creek Road resulting from all three wetland delineation field evaluations are shown in Figure 3.3-1 – Jacoby Creek Road Wetlands.

Based on the combined results of all three wetland delineations, most of the identified wetlands within the BSA would be entirely omitted from the construction boundary to avoid potential impacts. Temporary and permanent impacts to occur as a result of the Project specifically include:

- Permanent impacts to several small lengths of three-parameter wetland ditches along Jacoby Creek Road, totaling approximately 2,650 square feet/0.06 acres (see Figure 3.3-1 – Jacoby Creek Road Wetlands).
- Permanent impacts to approximately 20 square feet of three-parameter coastal wetland along Bayside Road near the northern end of the Project alignment (see Figure 3.3-2 Wetlands Near Bayside Road); and
- Temporary impacts to approximately 1,300 square feet (0.03 acres) of three-parameter wetlands along Old Arcata Road. Temporarily impacted wetlands would be fully restored in place during construction by or following the close of construction, as included in Mitigation Measure BIO-4.

Mitigation Measure BIO-3 and Mitigation Measure BIO-4 have been incorporated into the Project to ensure impacts to these wetland areas are minimized and fully mitigated, reducing the impact to wetlands to a less than significant level. As the design progresses, if additional unavoidable impacts to delineated wetlands are determined to occur, Mitigation Measure BIO-3 and Mitigation Measure BIO-4 would also apply. Compensatory mitigation included under Mitigation BIO-4 would occur at a location of equal or greater habitat value to the satisfaction of jurisdictional permitting agencies. Compensatory mitigation would occur at the on-site Wetland Creation Area included in the Project and/or a more suitable off-site location.

Juxtaposed wetlands to be avoided during construction would be protected by installing Environmentally Sensitive Area (ESA) exclusion fencing to ensure construction equipment or personnel do not inadvertently impact juxtaposed wetlands, as included in Mitigation Measure BIO-3. The location of ESA fencing would be shown on the final 100% design plan set for construction.

In addition, the Project would adhere to Environmental Protection Action 1 to prepare a SWPPP prior to construction and required by the North Coast Regional Water Quality Control Board (see Section 2.8.1 – Environmental Protection Action 1 Stormwater Pollution Prevention Plan). Measures to protect water quality, Waters, and wetlands within or near the Project footprint specifically would include:

- Within 10 days of completion of construction in those areas where subsequent ground disturbance would not occur for 10 calendar days or more, disturbed areas shall be temporarily stabilized to reduce the potential for short-term erosion. Prior to a rain event or when there is a greater than 50 percent possibility of rain within the next 24 hours, as forecasted by the National Weather Service, appropriate BMPs would be installed upon completion of the day's activities to control erosion and prevent sediment laden stormwater from leaving the construction area.
- Suitable perimeter control BMPs, such as silt fences, or straw wattles shall be placed below all construction activities at the edge of surface water features to intercept sediment before it reaches the waterway. These BMPs shall be installed prior to any clearing or grading activities.
- Spoil and stockpile sites shall be located such that they do not drain directly into a surface water feature, if possible. If a spoil site drains into a surface water feature, swales shall be constructed to intercept sediment before it reaches the feature. Spoil sites shall be graded and vegetated to reduce the potential for erosion.
- Sediment control measures shall be in place prior to the onset of the rainy season and would be monitored and maintained in good working condition until disturbed areas have been revegetated.
- A site-specific spill prevention plan shall be implemented for potentially hazardous materials. The plan shall include the proper handling and storage of all potentially hazardous materials, as well as the proper procedures for cleaning up and reporting any spills. If necessary, containment berms shall be constructed to prevent spilled materials from reaching surface water features.
- Equipment and hazardous materials shall be stored 50 feet away from surface water features. Fueling of equipment shall take place greater than 75 feet from any surface water feature.

Given the SWPPP requirements established in Environmental Protection Action 1, the protection of juxtaposed wetlands via the installation of ESA exclusion fencing prior to construction, delineated one-parameter wetlands would not be impacted, and impacts to three-parameters wetlands would be mitigated under Mitigation Measure BIO-3 and Mitigation Measure BIO-4, any potential wetland-related impact would be less than significant.

Mitigation

Mitigation Measure BIO-3 and Mitigation Measure BIO-4 shall be implemented to protect wetlands:

Mitigation Measure BIO-3: Avoidance and Minimization Measures for Waters of the United States and Waters of the State

The City shall implement the following avoidance and protection measures for Waters of the United States and Waters of the State:

1. The City shall attempt to avoid or minimize impacts to wetlands/waters to the greatest extent feasible in the final design plans.
2. ESA exclusion fencing shall be installed prior to construction to protect juxtaposed wetlands from inadvertent construction-related impacts. The locations of the ESA fencing shall be included on the final 100% design plan set for construction.

Mitigation Measure BIO-4: Compensatory Mitigation for Wetlands Impacts

The City shall compensate for wetlands impacts through restoration, rehabilitation, and/or creation of wetland at a ratio of no less than 1:1.2 and to the satisfaction of the City and permitting agencies. A Wetlands Mitigation and Monitoring Plan shall be prepared in coordination with jurisdictional permitting agencies. Compensation for wetlands shall occur so there is no net loss of wetland habitat at ratios to be determined in consultation with and to the satisfaction of jurisdictional permitting agencies. Temporarily impacted wetlands shall be restored in place as part of the Project.

The Plan shall be acceptable to jurisdictional permitting agencies and include the following elements: proposed mitigation ratios; description and size of the restoration or compensatory area; site preparation and design; plant species; planting design and techniques; maintenance activities; plant storage; irrigation requirements; success criteria; monitoring schedule; and remedial measures. The Plan shall be implemented by the City.

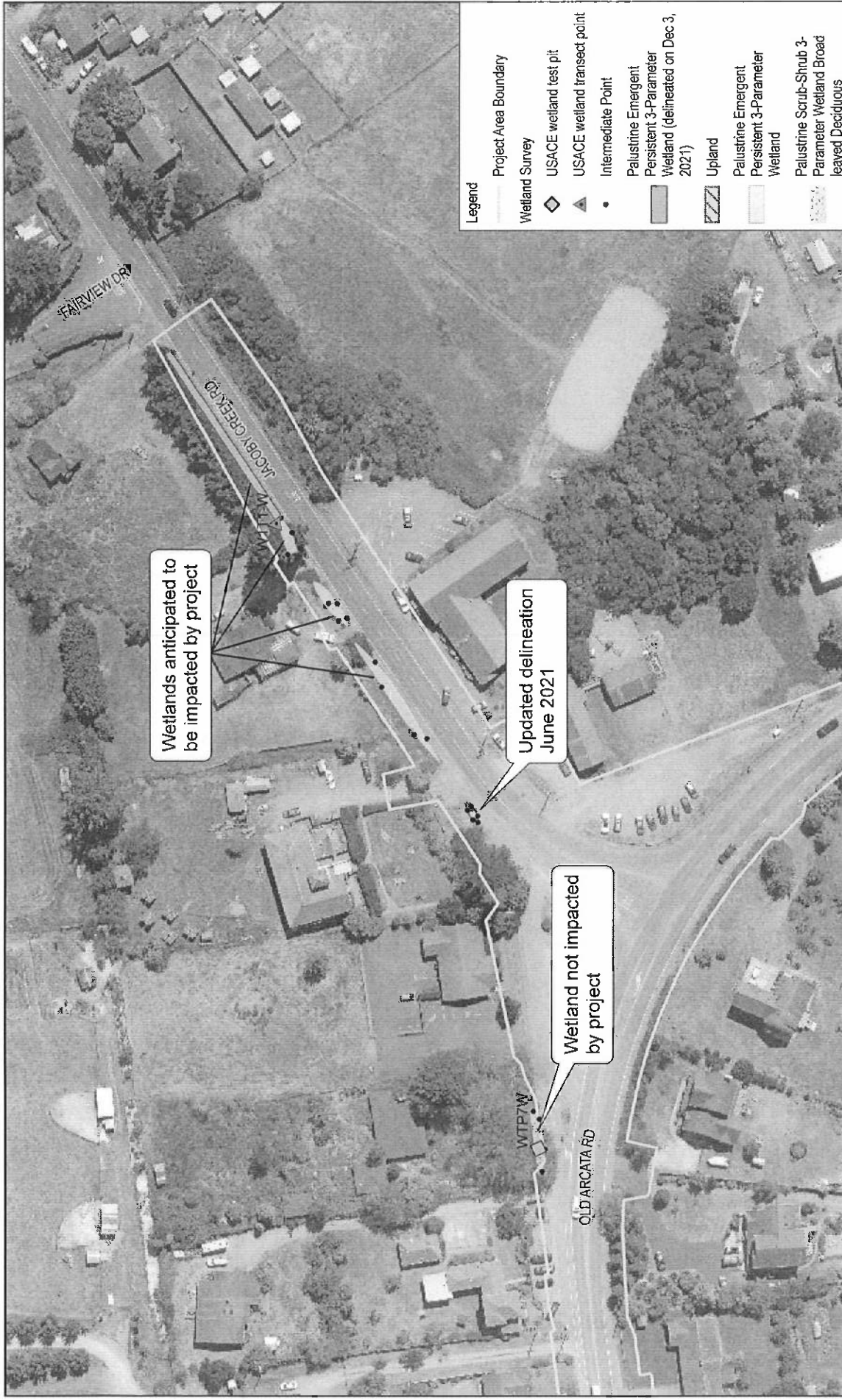
Mitigation Measures BIO-3 and BIO-4 requires protection of juxtaposed wetlands, avoidance and minimization of permanent impacts and temporary impacts to wetlands during construction, restoration of pre-Project conditions at the conclusion of construction, and compensation of wetlands thereby reducing any potential impacts to wetlands to a less-than-significant level.

Level of Significance: Less than significant after mitigation.

3.3.7 References

- GHD. 2021. *Old Arcata Road Improvement Project Wetland Delineation Rev. 2*. Prepared for Submission to the U.S. Army Corps of Engineers.
- GHD. 2018. *Special Status Plant Survey and ESHA Evaluation for Old Arcata Road Improvement Project*.
- Northstar Environmental. 2019. *Natural Environment Study for the Old Arcata Road Improvements Project*. Prepared for GHD and the City of Arcata. Lake Forest, CA.

U.S. Army Corps of Engineers. 2021. *Jurisdictional Determination for Old Arcata Road Improvements Project*.

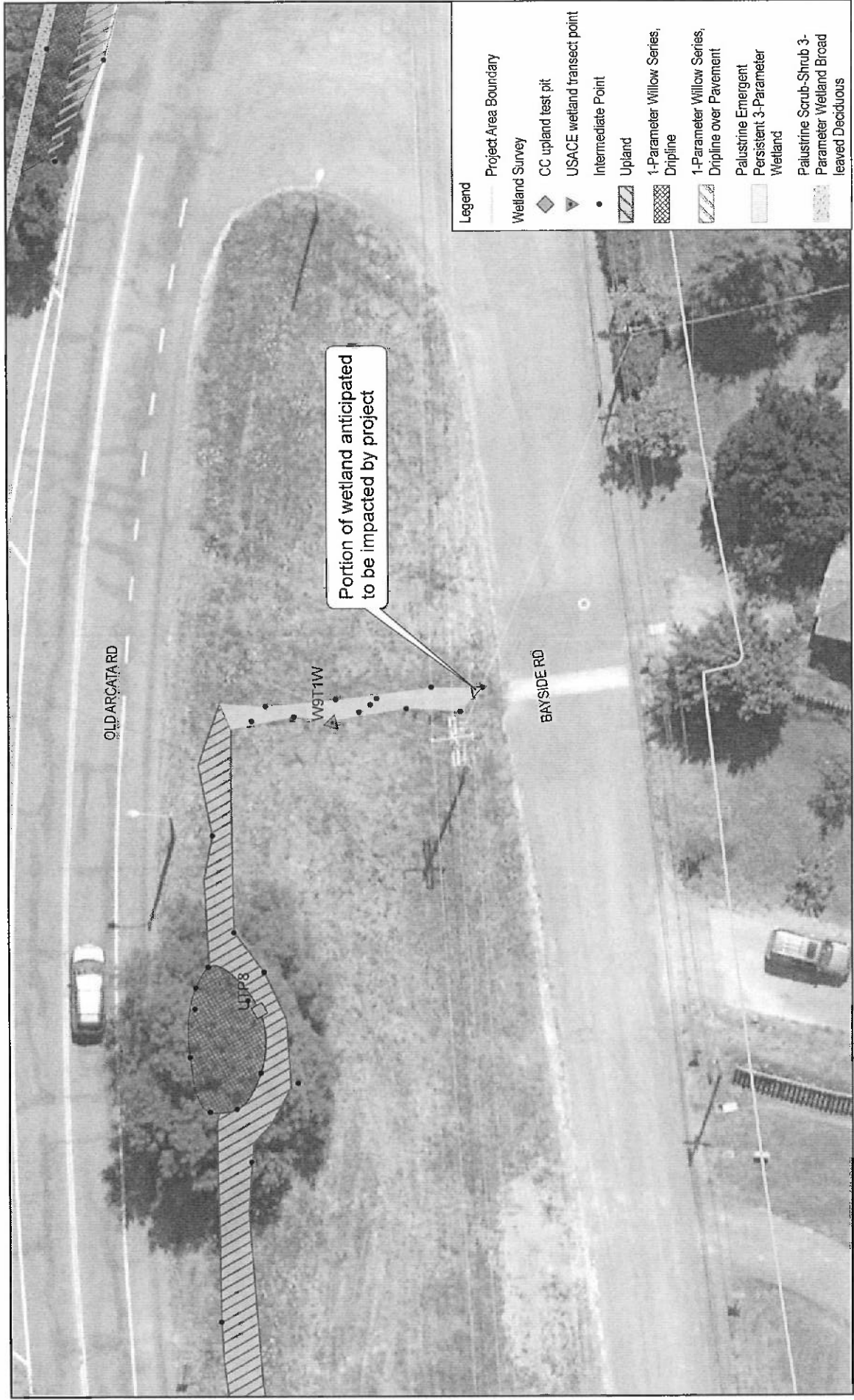


City of Arcata
Old Arcata Road Improvements
Wetlands Near Jacoby Creek Road

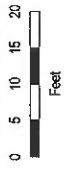
Project No. 11159130
Revision No. -
Date 12/8/2021



FIGURE 3-3.1



Paper Size ANSI A



Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California I FIPS 0401 Feet



City of Arcata
Old Arcata Road Improvements

Wetlands Near Bayside Road

Project No. 11159130
Revision No. -
Date 12/8/2021

FIGURE 3-3.2

Data source: APhoto 2019, MapServices. Created by: gponch

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GIS\MapData\arcata\20210519_CoastalZone\1159130_OldArcataRoad_CoastalZoneMap.aprx
Print Date: 08 Dec 2021 - 10:22

4. Alternatives Description and Analysis

4.1 Introduction

This chapter presents the alternatives analysis for the Project. Section 15126.6(a) of the CEQA Guidelines require an Environmental Impact Report (EIR) to “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that would foster informed decision making and public participation. An EIR is not required to consider alternatives that are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. In addition, an EIR must identify alternatives that were considered by the lead agency and were rejected as infeasible during the scoping process and should briefly explain the reasons underlying the lead agency’s determination (CEQA Guidelines Section 15126 [(c)]).

For ease of reference, the project objectives identified in Chapter 2, the Project Description, are repeated below:

- Rehabilitate and reconstruct the roadway pavement, and improve traffic striping and signage
- Improve intersection safety at the intersection of Old Arcata and Jacoby Creek Roads, as well as other intersections within the Project corridor
- Extend pedestrian connectivity from Jacoby Creek Road intersection to Buttermilk Road intersection, and provide for safer routes to schools for students and families
- Increase multimodal transit use by improving bicycle and pedestrian facilities via shared use pathways, re-stripped bicycle lanes, improved and extended sidewalks, and enhanced cross walks
- Decrease speed, calm traffic, improve traffic operations, and increase safety at the intersection of Jacoby Creek and Old Arcata Road, an area identified by the Bayside community as unsafe particularly for pedestrians and bicyclists due to speeding vehicles and an uncontrolled intersection
- Create a “gateway” at the southern entrance to Arcata
- Improve subsurface storm drainage infrastructure and accommodate additional City underground utility improvements as needed (water and sewer)
- Maintain consistency with City policies in the Transportation Element of the General Plan and the Bicycle and Pedestrian Master Plan for alternative transportation, and recommendations provided by the Transportation Safety Committee
- Improve traffic operations and pedestrian safety at Hyland Street near Jacoby Creek School
- Implement a project that does not require permanent right of way acquisitions
- Minimize potential environmental impacts to the extent feasible, particularly in the Coastal Zone
- Apply accepted traffic engineering standards to guide selected roadway and safety improvements

One of the alternatives analyzed must be the “No Project” alternative. CEQA Guidelines Section 15126.6(e)(1) states that the purpose of describing and analyzing the no project alternative is “to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.” The no project analysis is required to “discuss the existing conditions at the time the notice of preparation is published...as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services” (Section 15126.6[e][2]).

4.1.1 Identifying Project Alternatives

In 2017, the City lead a community design charrette process that involved members of the Bayside and neighboring communities. The design charrette process included the identification of deficiencies and potential improvements of the roadway. The results of the community design charrette led to the development of a Project Study Report (PSR) (City of Arcata 2017). Potential alternatives identified through the charrette process were further described and evaluated by the PSR. The alternatives had similar costs as they included similar features and materials with slightly varying quantities.

The City first prepared an Initial Study/Proposed Mitigated Negative Declaration (ISMND) to comply with CEQA's environmental analysis and disclosure requirements. The ISMND was circulated between January 20, 2021, and February 22, 2021. Written and voicemail comments were received from 39 individuals, agencies, or organizations. As described in Section 1.8 – Areas of Controversy and Key Issues to be Resolved, comments included statements for and against the Project, including the proposed roundabout at the intersection of Jacoby Creek Road and Old Arcata Road. Comments on the ISMND include requests for an alternatives analysis. Potential alternatives raised by the ISMND comments are repeated by comments on the Notice of Preparation, as described below.

A Notice of Preparation (NOP) was circulated for the Project in May of 2021, describing the proposed rehabilitation activities to be conducted within the Project Area. The NOP and comments received during the scoping period can be found in Appendix A and Appendix B, respectively. Comments germane to CEQA received during scoping included:

- Concern about street lighting proposed near the roundabout
- Potential impacts to historical resources
- Concern about the current road condition and the unmet need for bicycle and pedestrian safety
- Support for a T-Intersection alternative
- Support for a roundabout configuration
- Support for additional speed reducing measures, such as speed humps
- Requests for additional speed enforcement measures

Project alternatives have been explored to consider scoping period comments, as well as comments previously received via public comment on the Initial Study/Mitigated Negative Declaration (IS/MND, see Section 1.8 – Areas of Controversy and Key Issues to be Resolved).

4.2 Alternatives Considered but Rejected

During the preliminary planning of the Project and the scoping process for the EIR, several alternatives to the Project were evaluated and/or suggested. These alternatives are summarized below and were evaluated to determine if they meet the qualifications for alternatives receiving full EIR analysis, as required under CEQA.

In accordance with CEQA Guidelines Section 15126.6(a), an alternative must meet the following three criteria:

1. The alternative must attain most of a project's basic objectives;
2. The alternative must avoid or substantially reduce the significant environmental impacts of a proposed project; and
3. The alternative must be potentially feasible.

An EIR need not analyze an alternative whose impact cannot be reasonably ascertained and whose implementation is remote and speculative. Furthermore, an EIR need not consider every conceivable alternative, but must consider a reasonable range of alternatives that would foster well-informed decision-making and public participation.

Alternatives for Old Arcata Road were conceived by identifying and developing alternatives the following two main components of the proposed Project: 1) improvements for the corridor road between Buttermilk Lane and Jacoby Creek Road, and 2) the Jacoby Creek Road intersection. The following Project elements would remain applicable to all alternatives except the No Project Alternative:

The road pavement would be overlaid or reconstructed throughout the whole Project Area. The pavement section would include up to 1.33' of class II aggregate base and 0.5' of asphalt concrete. Striping would be done to separate bicycle lanes. The current separated path located in the northern part of the Project Area would be replaced by a 6' wide separated concrete path that meets ADA standards. The path would require approximately 0.5' depth of class II aggregate base and 0.33' of concrete. The vegetated buffer strip between the separated path and the roadway would convey runoff act as a low impact design (LID) feature for stormwater runoff. The northern segment where Bayside Road and Old Arcata Road connect Bayside Road into a shared road with a widened shoulder to accommodate pedestrians.

Rejected Alternative A addresses an alternative configuration for pedestrian and roadway improvements along the Old Arcata Road corridor. Rejected Alternatives B through G address alternative configurations and improvements to the intersection of Old Arcata Road and Jacoby Road.

4.2.1 Rejected Alternative A (Intersection) **Larger Roundabout Footprint**

During conceptual design development, unconstrained roundabout footprints were considered. Rejected Alternative A consisted of an unconstrained roundabout footprint that would be larger than the proposed Project's footprint. An unconstrained roundabout footprint would provide improved traffic flow, fastpaths (the fastest any vehicle can navigate through the roundabout, ignoring striping), and truck turning radii. However, the unconstrained roundabout footprints resulted in private property encroachment and increased proximity to the Mistwood Education Center.

Rejected Alternative A was rejected for further consideration because it would not achieve the proposed Project's objectives of implementing a project that does not require permanent right of way acquisitions. An unconstrained roundabout also would have resulted in increased roadway proximity to the Mistwood Education Center, compared to the proposed Project. Additionally, the alternative would not avoid or substantially reduce potential significant impacts of the proposed Project.

4.2.2 Rejected Alternative B (Intersection) **Mini Roundabout Footprint**

During conceptual design development, more constrained roundabout footprints were considered. Rejected Alternative B consisted of a more constrained mini roundabout that would have a smaller footprint than the proposed Project's footprint. Mini roundabouts are typically best suited to environments where speeds are already low. Because of the higher approach speeds of both westbound Jacoby Creek Road, and northbound Old Arcata Road (45 MPH and 35 MPH, respectively), special consideration must be given to the mini roundabout placement, and the alignment/geometry of approaching lanes. The central island would also be required to be fully mountable to accommodate trucks and vehicles with larger turning radii.

The result is that although a more constrained roundabout footprint would be smaller than the footprint of the proposed Project, the design configuration would require the roundabout to be positioned such that there is the potential to encroach on private property located to the west. The required alignment and geometry for the approach lanes on Jacoby Creek Road may result in additional encroachment onto private property to the west. A speed hump on Jacoby Creek Road would also be needed to control westbound speeds approaching the intersection. Several driveways may also be impacted, requiring relocation or limited access (e.g., right-in/right-out only) to accommodate required splitter island. The required fully mountable central island to accommodate trucks and larger vehicles which would eliminate opportunities for landscaping in the central island.

Rejected Alternative B was rejected for further consideration because it would not achieve the Project's objectives of implementing a project that does not require permanent right of way acquisitions. A mini roundabout also would likely restrict driveway access to private properties.

4.2.3 Rejected Alternative C (Intersection) T Intersection at Jacoby Creek Road, Multi Way Stop Control

Rejected Alternative C included retaining a T intersection at the intersection of Jacoby Creek and Old Arcata, to be controlled by an all-way stop, also called a Multi Way Stop Control (MWSC). However, transportation design analysis determined that the intersection likely would not likely meet applicable engineering guidance criteria for installing additional stop signs, known as warrant criteria (GHD 2021). The intersection falls within both the City of Arcata and the County of Humboldt jurisdiction. While the City of Arcata does have policies/guidelines for MWSC installation, the County does not. Therefore, an initial transportation design analysis was conducted using the guidance provided in Section 2B.07 Multiway Stop Applications of the California Manual on Uniform Traffic Control (CA MUTCD) and City of Arcata's Policy on implementing MWSC Intersections.

The GHD (2021) review of warrant criteria determined that the intersection likely would not meet the key CA MUTCD criteria for justification of a MWSC, including not meeting the minimum volume warrant and not meeting the crash warrants. Per the CA MUTCD, a 'warrant' describes the threshold condition based upon average or normal conditions that, if found to be satisfied as part of an engineering study, shall result in analysis of other traffic conditions or factors to determine whether a traffic control device or other improvement is justified (CalSTA/Caltrans 2014). Additionally, the analysis determined that the intersection would score up to nine points using the City of Arcata's Policy; however, 20 points is needed to warrant consideration of a MWSC.

Therefore, Rejected Alternative C does not meet the CEQA Guidelines requirement of being potentially feasible, and is rejected from further consideration. Additionally, Alternative C was rejected for further consideration because it would not achieve the Project objective to apply accepted engineering standards to guide selected roadway and safety improvements.

4.2.4 Rejected Alternative D (Intersection) T Intersection at Jacoby Creek Road with A Traffic Signal

Rejected Alternative D included retaining a T intersection at the intersection of Jacoby Creek and Old Arcata, to be controlled by a traffic signal. However, the GHD (2021) warrant criteria review determined that the intersection likely would not meet applicable engineering guidance criteria for installing a traffic signal.

The transportation design analysis was conducted using the guidance provided in Chapter 4C Traffic Control Signal Needs Studies, Section 4C.02 through Section 4C.10 of the CA MUTCD. Specifically, the following warrants were evaluated for the study intersection based on the collected accident, speed, and traffic volume data:

- Section 4C.02 Warrant 1, Eight-Hour Vehicular Volume:
- Section 4C.03 Warrant 2, Four-Hour Vehicular Volume:
- Section 4C.04 Warrant 3, Peak Hour:
- Section 4C.05 Warrant 4, Pedestrian Volume:
- Section 4C.06 Warrant 5, School Crossing:
- Section 4C.07 Warrant 6, Coordinated Signal System:
- Section 4C.08 Warrant 7, Crash Experience:
- Section 4C.09 Warrant 8, Roadway Network:
- Section 4C.10 Warrant 9, Intersection near a Grade Crossing:

Based on the review of available data in relation to the above warrants, GHD (2021) determined that a traffic signal at the intersection would likely fall short of meeting required warrant criteria. Therefore, Rejected Alternative D does not meet the CEQA Guidelines requirement of being potentially feasible, and is rejected from further consideration. Additionally, Alternative D was rejected for further consideration because it would not achieve the Project objective to apply accepted engineering standards to guide selected roadway and safety improvements.

4.2.5 Rejected Alternative E

Unmodified T Intersection at Jacoby Creek Road with Speed Enforcement

Rejected Alternative E included updating the existing T intersection at the intersection of Jacoby Creek and Old Arcata without modification. Speed enforcement applied to increase speed control in the Project vicinity was suggested by some members of the public as an alternative to a roundabout during public comment on the ISMND prepared for the proposed Project, as well as the EIR scoping. Implementing a speed control option, such as installation and use of a traffic enforcement camera or increasing police presence, could be costly. Additionally, traffic enforcement cameras have not been utilized elsewhere in the City of Arcata, and it would be infeasible to have constant police presence at the intersection.

Rejected Alternative E was rejected for further consideration because it would not achieve the following Project objectives: improve intersection safety at the intersection of Old Arcata and Jacoby Creek Roads; increase multimodal use by improving bicycle and pedestrian facilities via improved bicycle lanes, improved and extended sidewalks, and enhanced cross walks; decrease speed, calm traffic, improve traffic operations, and increase safety at the intersection of Jacoby Creek and Old Arcata Road; maintain consistency with City policies in the Transportation Element of the General Plan and the Bicycle and Pedestrian Master Plan for alternative transportation, and recommendations provided by the Transportation Safety Committee; create a "gateway" at the southern entrance to Arcata; and, apply accepted traffic engineering standards to guide selected roadway and safety improvements.

4.2.6 Rejected Alternative F (Intersection)

Historic Old Arcata Road and Jacoby Creek Road Alignment

Rejected Alternative F consists of modifying the intersection of Jacoby Creek Road and Old Arcata Road to realign the roads and intersection to their original historic alignment, as shown in Image 4-2. The historic alignment was offered as an alternative to a roundabout during public comment on the ISMND and EIR scoping.

The intersection configuration of Rejected Alternative F is not consistent with current uses, including the post office, pump station, and contemporary traffic volumes. The historic alignment would realign traffic adjacent to the Mistwood Education Center and the Bayside Post Office. Additionally, implementation of a historic alignment alternative would include a sharp horizontal curve of Old Arcata Road, which would likely require an all-way stop due to reduce turning and speed hazards.

Rejected Alternative F was rejected for further consideration because it would not achieve the following Project objectives: improve intersection safety at the intersection of Old Arcata and Jacoby Creek Roads; increase multimodal use by improving bicycle and pedestrian facilities via improved and extended sidewalks, and enhanced cross walks; decrease speed, calm traffic, improve traffic operations, and increase safety at the intersection of Jacoby Creek and Old Arcata Road; maintain consistency with City policies in the Transportation Element of the General Plan and the Bicycle and Pedestrian Master Plan for alternative transportation, and recommendations provided by the Transportation Safety Committee; create a "gateway" at the southern entrance to Arcata; and, apply accepted traffic engineering standards to guide selected roadway and safety improvements.



Image 4-2 Rejected Alternative F Historic Alignment Photograph Dated 1947 (JRP 2020). The historic alignment is shown in red.

4.3 Analysis of Alternatives

This section describes the Project alternatives that were selected and analyzed in accordance with CEQA Guidelines Section 15126.6(a). As described above in Section 4.2, several other potential alternatives were evaluated, but were determined to be infeasible, would not attain most of the Project's basic objectives, or would not avoid or substantially reduce significant impacts of the proposed Project and have been rejected.

The two alternatives to the proposed Project evaluated further in this EIR include the No Project Alternative and the T-Intersection Alternative. Resource categories identified as having no impacts under the proposed Project are not discussed below in detail.

As the proposed Project would result in no impact to Agricultural and Forestry Resources, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation (see Section 5.1 – Environmental Issues Determined Not to be Significant), the No Project Alternative and T-Intersection Alternative are considered to be equivalent for those resource categories as identified in the CEQA Appendix G checklist and are not discussed further.

A comparison of alternatives is provided in Section 4.4. The environmentally superior alternative is described in Section 4.5.

4.3.1 Alternative 1: No Project Alternative

Description

Under a No Project Alternative, the Project corridor would remain in its existing condition without change. Gaps in bicycle and pedestrian facilities along Old Arcata Road between Jacoby Creek School and Jacoby Creek Road

would remain. The existing walkways, driveways and curb ramps within the Project corridor that are non-compliant with current accessibility codes and standards would remain unaltered and continue to be a barrier to pedestrian mobility. The current roadway and turning configurations for Jacoby Creek School parking lot at the Hyland Street intersection would remain unaltered, and no left-turn lane for northbound traffic would be constructed. No modifications to the Jacoby Creek School parking lot would occur. The five paved diagonal parking space along Old Arcata Road in front of Jacoby Creek School would remain.

The intersection of Old Arcata Road and Jacoby Creek Road would remain in its existing configuration, and no new sidewalk, crosswalk, signage, landscaping, or other improvements would be constructed. Additionally, no retaining wall would be constructed near the intersection.

The existing asphalt roadway, identified as extremely deteriorated and considered to be in "poor" condition, would continue to degrade, but would be resurfaced at an unknown future date according to current city practice and roadway prioritizations (NCE 2017). The existing street lights located at the Jacoby Creek Road intersection would remain, and Old Arcata Road would continue to have some power-pole-mounted lights. Existing trees would remain, and no increase or modification of landscaping would occur.

Existing utility infrastructure, including storm drain, sanitary sewer lines, and water service lines, would remain, and no improvements to that infrastructure would occur.

Analysis

For the purposes of this EIR, impact levels for the No Project Alternative assume continued use and degradation of Old Arcata Road and Jacoby Creek Road. The roadway would not be resurfaced. However, the No Project Alternative is not considered a 'project' under CEQA and implementation of mitigation measures through a CEQA document or CEQA process would not apply.

Aesthetics

The No Impact Alternative would not include any visual change. However, the No Project Alternative would also not include many of the visual enhancements proposed by the Project, such as stamped concrete, colored concrete, landscape vegetation, and bicycle lanes and buffered pathways, that improve the visual character of the Project corridor. The impact to aesthetics would be less under the No Project Alternative.

Air Quality

The No Impact Alternative would not result in any emissions. The impact to Air Quality would be less under the No Project Alternative.

Biological Resources

The No Impact Alternative would not result in any disturbance to biological resources. The impact to Biological Resources would be less under the No Project Alternative.

Cultural Resources

The No Project Alternative would not modify or disturb any archaeological resources. The impact to Cultural Resources would be less under the No Project Alternative.

Energy

The No Impact Alternative would not result in any energy consumption. The impact to Energy would be less under the No Project Alternative.

Geology and Soils

The No Impact Alternative would not result in disturbance to geologic or soil resources. The impact to Geology and Soils would be less under the No Project Alternative.

Greenhouse Gas Emissions

The No Impact Alternative would not result in any greenhouse gas emissions. The impact to Greenhouse Gas would be less under the No Project Alternative.

Hazards and Hazardous Materials

Soil characterization and, if needed, remediation required by the Project near Roger's Garage would not occur under a No Project Alternative. If any soil contamination were to remain, it would persist and clean up would not result. Thus, the No Project Alternative would be potentially more impactful, as any existing contamination would not be remediated.

Hydrology and Water Quality

The No Impact Alternative would not result in any hydrology or water quality impacts. The impact to Hydrology and Water Quality would be less under the No Project Alternative.

Noise

The No Project Alternative would not reduce operational noise through the Project Area due to a quieter, smoother roadway surface. The No Project Alternative also would not include traffic calming measures such as the roundabout, splitter islands, and improved signage. The existing noise environment at the intersection would remain. Noise-related impacts under a No Project Alternative would be greater than the proposed Project.

Transportation

The No Project Alternative would not include improved pedestrian and bicycle facilities along Old Arcata Road, or improved pedestrian and bicycle facilities at the intersection of Old Arcata Road and Jacoby Creek Road. Existing hazards to pedestrian and bicyclists would remain. Transportation-related impacts under a No Project alternative would be greater than the proposed Project.

Tribal Cultural Resources

The No Impact Alternative would not result in any Tribal Cultural Resource impacts. As tribal cultural resources were not identified in the Project Area as a result of AB 52 consultation with designated tribal representatives. However, the No Project Alternative is unlikely to encounter unknown tribal historic resources and, therefore, the impact to Tribal Cultural Resources would be less than the proposed Project.

Utilities and Service Systems

The No Project Alternative would not include needed water, sewer, or other utility improvements. Thus, the No Project Alternative is more impactful than the proposed Project.

Wildfire

The No Impact Alternative would not result in any wildfire-related impacts. The impact to Wildfire would be less under the No Project Alternative.

4.3.2 Alternative 2: T Intersection at Jacoby Creek with Improvements and Additional Traffic Calming Measures

Description

Alternative 2 would implement the Project as proposed, except for the roundabout at the intersection of Old Arcata Road and Jacoby Creek Road (See Figure 4-1, Alternative Layout). Instead of a new roundabout, the existing T-intersection would be retained, and traffic patterns would remain the same as under existing conditions. Through traffic would remain on Old Arcata Road, and the stop sign on Jacoby Creek Road would be retained. Improvements at the intersection would include a mountable concrete apron to divide turning lanes on westbound Jacoby Creek Road, at the stop sign. The accessway to the Bayside Post Office would be repaved

and restriped, with formal parking added on the north side of the utility island. The paved roadway area at the Jacoby Creek Road would be reduced to calm traffic, and mountable aprons would be installed to accommodate vehicles with larger turning radii. The new pathway/sidewalk along Old Arcata Road would transition into a new LED or rapid rectangular flashing beacon (RRFB) enhanced crosswalk with curb ramps at the northern end of the intersection. The crosswalk would include a pedestrian refuge, which is a median with a refuge area that is intended to help protect pedestrians who are crossing multiple lane roads. The crosswalk would connect to a new sidewalk on the southern and eastern edge of the lift station utility island. New crosswalks and curb ramps would provide connectivity to both entrance/exits of the improved Bayside Post Office accessway. A fourth new crosswalk with LED or RRFB and a set of curb ramps would provide connectivity across Jacoby Creek Road near the Bayside Grange, linking to a new sidewalk in front of the Bayside Grange and Mistwood Education Center. The intersection would be repaved and restriped; signage would be updated, including signage posting speed limits of 25 miles per hour. Bicycle lanes would be re-striped on Old Arcata Road, through the intersection. As with the proposed Project, the T-Intersection Alternative would be located entirely within the public right of way. Traffic calming measures would be integrated into the T-Intersection alternative to the degree feasible, including additional traffic calming measures along the Old Arcata Road corridor, north and south of Jacoby Creek School. Traffic calming measures would include mountable median islands, center delineators, and radar feedback signs.

Analysis

Aesthetics

Under Alternative 2, the same improvements as the proposed Project would be implemented, except that the intersection of Old Arcata Road and Jacoby Creek Road would be retained as a T-intersection, with the same traffic pattern as the existing environment but with additional traffic calming measures to improve safety and reduce speeds. Improvements to the intersection would include new concrete aprons, repaving and restriping accessway to the Bayside Post Office, as well as multiple shoulder, crosswalk, sidewalk, bike lane, and other multi-modal improvements.

Alternative 2 would have similar to slightly reduced aesthetics impacts with a potential to temporarily block or alter existing view through the presence of heavy machinery, materials stockpiling and storage, and construction-related safety signage and channelizers, and roadside vegetation (trees) removal. Therefore, the potential impact to aesthetics is expected to be the same under Alternative 2.

Air Quality

Under Alternative 2, the amount of construction activity would be similar to the proposed Project. Therefore, the generation of criteria area pollutants and dust during construction of Alternative 2 would be similar to the proposed Project. The air quality impacts associated with the proposed Project were determined to be less than significant with implementation of Environmental Protection Action 1, which would require provisions that the City and its contractor prepare and adhere to a SWPPP prior to construction, to ensure compliance under the required Construction General Permit administered by the North Coast Regional Water Quality Control Board. The SWPPP would include dust control measures, as a matter of standard protocol. Dust control measures in the SWPPP would reduce potential fugitive dust emission and particulate matter impacts, providing consistency with Quality Regulation 1, Rule 104 (D), Fugitive Dust Emissions. The impacts of Alternative 2 would similarly be less than significant with implementation of Environmental Protection Action 1.

Biological Resources

Impacts to biological resources associated with the proposed Project were determined to be less than significant with implementation of mitigation measures. Comparative to the proposed Project, impacts to biological resources under Alternative 2 would be marginally reduced due to the reduction in area that would be disturbed at the intersection of Old Arcata Road and Jacoby Creek Road.

Based on the current 30% design, the proposed Project would impact several lengths of wetland ditch (approximately 2,650 square feet/0.06 acres) along the north side of Jacoby Creek Road and approximately 30 square feet of wetlands near Bayside Road. Temporary impacts of approximately 1,300

square feet (0.03 acres) to wetlands along Old Arcata Road would also occur. All wetlands impacted by the Project would be fully mitigated under Mitigation Measure BIO-3 and Mitigation Measure BIO-4, which require efforts to minimize impacts to wetlands and compensatory mitigation to the satisfaction of jurisdictional permitting agencies where wetland impacts are unavoidable. With the implementation of Mitigation Measure BIO-3 and Mitigation Measure BIO-4, impacts to wetlands under the proposed Project would be less than significant.

Alternative 2 would also impact wetlands, although to a slightly less extent. Permanent impacts to wetlands along Jacoby Creek Road would not occur. Permanent wetland impacts would be limited to approximately 20 square feet near Bayside Road. Temporary impacts to wetlands would be equivalent to the proposed Project and include approximately 1,300 square feet (0.03 acres) along Old Arcata Road. As with the proposed Project, all wetlands impacted by Alternative 2 would be fully mitigated under Mitigation Measure BIO-3 and Mitigation Measure BIO-4, which require efforts to minimize impacts to wetlands and compensatory mitigation to the satisfaction of jurisdictional permitting agencies where wetland impacts are unavoidable. With the implementation of Mitigation Measure BIO-3 and Mitigation Measure BIO-4, impacts to wetlands under Alternative 2 would be less than significant.

However, the potential to impact each of the species and resource identified in Section 3.3 (Biological Resources) during the construction phase would remain the same under Alternative 2, and all identified mitigation measures (Mitigation Measures BIO-1, 2, 3, and 4, **5 and 6**) would remain applicable. Therefore, the impacts related to biological resources for Alternative 2 would be equivalent to the proposed Project.

Cultural Resources

Under the proposed Project, impacts to historical resources were determined to be less than significant. As described in Section 3.4, Cultural Resources, three built historic resources were identified in the vicinity of the intersection of Old Arcata Road and Jacoby Creek Road; the Old Jacoby Creek School at 2212 Jacoby Creek Road, the Temperance Hall at 1928 Old Arcata Road, and the Bayside Grange at 2297 Jacoby Creek Road. The proposed Project would not diminish the integrity of location, design, materials, workmanship, or association of the Old Jacoby Creek School, Temperance Hall, Bayside Grange, or any historic district because the Project would not physically alter any of these properties. Although the integrity of feeling and setting would be modified, this Draft EIR found that this would not result in a substantial adverse change under CEQA, as the feeling and setting would not be altered to a significant degree. The proposed Project components are modest in scale and sympathetic to the surroundings; improvements to the intersection as realigned in 1946 are not to the original intersection, and the setting is already a mixture of old and new build environment. Alternative 2 would similarly result in a less than significant impact to historic resources, as the components would be modest in scale and sympathetic to the surroundings.

Under the proposed Project, cultural resources impacts were determined to be less than significant with implementation of mitigation. Alternative 2 would result in slightly less disturbance at the Project site due to a slightly smaller footprint at the intersection of Old Arcata Road and Jacoby Creek Road. The area of ground disturbance under Alternative 2 is only minimally smaller than the Project footprint, and only at the intersection of Old Arcata Road and Jacoby Creek Road.

The same mitigation measures for the proposed Project (Mitigation Measures CR-1) would be applicable to Alternative 2 (see Section 3.4). Implementation of Mitigation Measure CR-1 would reduce the impact to archaeological resources by requiring the development and implementation of a MOU with consulting Tribes that would include archaeological monitoring, guided investigation prior to construction, and inadvertent discovery protocols and plans.

With implementation of mitigation measures identified above, the Alternative 2 potential for impacts to archaeological resources (Impact CR-2) would be similarly reduced to a less-than-significant level. Therefore, impacts to archaeological resources and historic resources would be equivalent to those under the Project.

Energy

Comparatively, construction-related energy use under Alternative 2 would be equivalent to the proposed Project. As with the proposed Project, Alternative 2 would result in a less than significant impact to energy resources because it would not result in a substantial increase in energy use, in inefficient, wasteful, or unnecessary consumption of fuels or other energy resources, or conflict with an applicable plan for energy efficiency.

Geology and Soils

Although Alternative 2 would result in slightly smaller footprint than the proposed Project at the intersection of Old Arcata Road and Jacoby Creek Road, the general risk for encountering undiscovered unique paleontological resources would remain the same as the proposed Project. Paleontological resources are highly unlikely to be encountered regardless, as no deep excavation greater than 8 ft is planned. Additionally, potential for soil loss due to construction related erosion would be equivalent. The same Best Management Practices (BMPs) and EPA 1 (SWPPP) would apply to Alternative 2 as with the proposed Project.

The same mitigation measures for the proposed Project would apply to Alternative 2 to reduce potential impacts to construction-related impacts to paleontological resources to a less than significant level (reference Section 3.6). Therefore, impacts related to geology and soils under Alternative 2 would be equivalent to what would occur under the proposed Project.

Greenhouse Gas Emissions

Similar to the proposed Project, Alternative 2 would result in a temporary increase in GHG emissions during Project construction, including exhaust emissions from on-road haul trucks, worker commute vehicles, and off-road heavy-duty equipment. Comparatively, construction related GHG emissions associated with Alternative 2 would substantially be the same as the estimated emissions for the proposed Project. As with the proposed Project, Alternative 2 would result in a less than significant impact to GHG emissions, because neither the Project nor Alternative 2 would exceed the quantitative emissions threshold, impede the State in meeting the AB 32 greenhouse gas reduction goals, or conflict with the City's adopted Climate Action Plan. As with the proposed Project, Alternative 2 would improve bicycle and pedestrian infrastructure and therefore is consistent with and supports the City's Community Greenhouse Gas Reduction Plan. As with the proposed Project, operations of Alternative 2 would not result in a new source of GHG emissions as it would not increase the vehicle capacity, speed, or vehicle miles traveled of the Project roadway. Under the proposed Project, there would be improved traffic flow through the intersection and an associated reduction in future idling during Project operation. As such, the proposed Project and Alternative 2 may result in a reduction in operational GHG emissions as compared to continued use of the intersection without Project improvements. Additionally, there would likely be long-term GHG benefits from improved operation and smoother pavement surfaces. Therefore, impacts related to greenhouse gas emissions under Alternative 2 would be equivalent to what would occur under the proposed Project.

Hazards and Hazardous Materials

Although Alternative 2 would result in slightly smaller footprint than the proposed Project at the intersection of Old Arcata Road and Jacoby Creek Road, the general risk for accidental spills of construction fuels and accidental fire ignition during construction would remain the same as the proposed Project. Under Alternative 2, construction activity and excavation would still occur in proximity to the Roger's Garage on Old Arcata Road, and would still result in the need for handling potentially hazardous building materials (e.g., contaminated soils) and potentially aerially deposited lead along the roadway. The same mitigation measures for the proposed Project would apply to Alternative 2 to reduce construction-related impacts associated with managing potential contamination from Roger's Garage and aerially deposited lead to a less than significant level (reference Section 3.8). Therefore, impacts related to hazards and hazardous materials under Alternative 2 would be equivalent to what would occur under the proposed Project.

Hydrology and Water Quality

Alternative 2 would be located on the same site as the proposed Project and would include the same general level of excavation and earthwork, with the exception that the configuration of the intersection of Old Arcata Road

From: [Bert Colbert](#)
To: NorthCoast@Coastal
Cc: [EBT - Kristi Colbert, RN, BSN](#)
Subject: Bayside Road Improvement Project
Date: Saturday, November 5, 2022 10:19:37 AM

Dear Coastal Commission Members,

We have lived in Bayside since 1989. Our home is on old Arcata Road with our driveway in front of our house directly facing the road. We are 4 houses north of the proposed roundabout. During the 30+ years that we have lived here, we have seen numerous accidents at the corner of Old Arcata Road and Jacoby Creek Road. This includes vehicle collisions and vehicles leaving the roadway and ending up in people's yards.

The most recent a few months ago, involved a vehicle traveling at a higher rate of speed down Jacoby Creek Road and taking out the stop sign at the corner by the post office. Then -the vehicle continued across Old Arcata Road, left the roadway airborne and ended up in the yard between two homes. The stop sign traveled through the air and landed up in a tree of one of these homes. That stop sign could have impaled somebody.

The Old Arcata Rd speeds have also increased with people often driving in excess of 50 MPH. We have been involved in numerous public comment sessions & in person meetings with the City of Arcata planning department regarding these proposed road improvements. In my opinion, the city of Arcata staff made every effort to take into account public input and overwhelmingly the roundabout was preferred. The majority of us living right on old Arcata Road who are the most impacted -- are fully in favor of a roundabout at the corner of Old Arcata Road and Jacoby Creek Road. Roundabouts work!! The opposition to this -- the group calling themselves Bayside Cares-- is largely made up of homeowners who do not live directly on the road and do not face the potential impacts that a roundabout or three- way -stop sign intersection would bring. We believe a roundabout is the only traffic calming solution that will work with the road improvement plan. A three -way-stop sign intersection will:

- 1) Back up traffic past our house all the way to Jacoby Creek school.
- 2) Pose a higher safety risk for people crossing an intersection on a radius corner.
- 3) Traffic traveling north from the Bayside cutoff would soon hit stopped traffic waiting to go through that intersection. Someone is going to get hit from behind and have severe injuries or be killed.

We were just in Germany in August. Everywhere we went, including very small rural villages, had roundabouts! Why? Because roundabouts work to slow down traffic and cut down on air pollution as opposed to coming to a complete stop.

.We are asking that you reject the Bayside Cares group appeal and move forward with the City of Arcata's project as proposed with the roundabout.

Sincerely,

Bert & Kristi Colbert

1759 Old Arcata Rd, Bayside, CA 95524

From: [Lee Dedini](#)
To: NorthCoast@Coastal
Subject: Old Arcata Road Improvement Project in November 18, 2022 meeting
Date: Wednesday, November 9, 2022 1:58:25 PM

California Coastal Commission,

My wife and I live in the community of Bayside and ride our bikes often in the area of the proposed road improvements on Old Arcata Road. We support the development of a roundabout and feel it will greatly improve public safety.

We, along with the vast majority of the community, encourage the Coastal Commission to follow the staff recommendation and find "No Substantial Issue" for both appeals (Appeal No. A-1-ARC-22-0010 and Appeal No. A-1-HUM-22-0026).

Thank you, Lee and Jill Dedini, Bayside

From: [Marc Delany](#)
To: [NorthCoast@Coastal](#); [Jansen, Bente@Coastal](#)
Subject: Delany Appeal Appeal No. A-1-HUM-22-0026 (City of Arcata, Humboldt Co.)
Date: Friday, November 11, 2022 11:25:52 AM

Bente Jansen

Coastal Commission

North Coast District office

1385 Eighth Street

Suite 130

Arcata, CA 95521

707-826-8950 ext. 5

Bente.Jansen@coastal.ca.gov.

RE: Appeal No. A-1-HUM-22-0026 (City of Arcata, Humboldt Co.)

Dear Coastal Commission,

For the reasons set forth below I believe the Coastal Commission should review this project for consistency with the Local Coastal Plan under Section 30330 of the Coastal Act. Please include the following with my appeal.

There have been two “Lead Agencies” throughout most of this project. There can only be one per project. I see there are really two projects, one within the City of Arcata city boundaries for pedestrian and bike improvements. Arcata is listed as Lead Agency for this. The other project is a highway improvement project proposed by the consulting engineer, Omni Means, mid project presentation circa 2016. Caltrans claims to also be the “Lead Agency” for this highway improvement project using STIP funds. Under CALTRANS, NEPA review is applied, including NHPA and Environmental Justice Protections for state and federal historic resources. The Arcata project only contemplates using CEQA criteria. Projects cannot be segmented to reduce (or increase) the potential approval.

The current APE for the project was determined and provided through the CEQA process as contracted for by the City of Arcata. NEPA review also includes economic impacts analysis, and subjective criteria when evaluating impacts on historic resources. Without the corrected APE used as the basis of CEQA (or NEPA) review, the actual impacts, and impacted properties and communities are incorrect.

With two competing Lead Agencies, no one agency is fully responsible.

Many others and I have had no elected representation in this process to date, violating fundamental civil rights and other protections.

It is appreciated if the Coastal Commission would review this project for the above, and for the included specific “Chapter 3” requirements cited below.

I would appreciate the opportunity to appeal before the commission next week, or at the next opportunity. If the CC agrees there are 2 distinct projects here, the “roundabout” project is the project objected to, if the NEPA review is, in fact, completed.. The Pedestrian and Bike Improvements wholly within the City of Arcata has not completed NEPA review as required at this time and may not be “ripe” for appeal at this date.

To my knowledge Caltrans has not completed NEPA review, including an economic analysis of potential impacts. The SHPO process seems to have begun, then stopped.

CMZ requires state review of federal, state and local consistency in planning per 15 C.F.R. 923.15 *process*. Under Section 30330 the review of federal laws and regulations, testimony received at (all?) public hearings and coastal commission deliberations, the plans, maps, photos, E.I.S. and other documents for consistency with Regional, Federal and State requirements of the Local Coastal Plan. Inaccurate and erroneous mapping, DE-APE, and other defects generated in planning a local project by the state or local government and agencies.

In the case of the project before the commission, a confused history and description dominated the process, beginning with a project segmented with *two* lead agencies for most of the past 5 years. One project, the Caltrans highway improvement at the intersection of OAR and JCR, and another project, originally called the “Old Arcata Road Bicycle and Pedestrian Improvement Project”. There, Caltrans is also lead agency for a project outside the City of Arcata, a “roundabout” This is at the intersection of OAR and JCR. This area was recently determined by Humboldt Planning and Building Department to be outside the City of Arcata. It is 100% in the coastal zone and Humboldt County. The “Old Arcata Road Bicycle and Pedestrian Improvement Project”, lead agency - the City of Arcata is North of the contested project. In the past year changes in the lead agency were made, but it is unclear which agency is fully responsible for the “roundabout”.

The late inclusion by consultant Omni Means Engineering substituted Alt 1 with Alt 2 in later documents further confusing the project description, boundaries, NEPA requirements, and the APE used by both Caltrans and the City of Arcata. Alt 1 intended to use the existing roadbed, Alt 2, a “roundabout” was offered as an alternative to the proposed project. The addition, new highway of the roundabout is outside the City of Arcata. No one on JCR can vote in any City of Arcata election of representatives.

This resulted in the 900 plus residents living up JCR that will be affected by the “roundabout” to be unrepresented by any elected officials, as ALL of JCR is outside the City of Arcata. This came as a surprise to county planning. To date most affected property owners and those residing outside of the City of Arcata have had a project imposed on the community with no recourse to elected officials representing Bayside. This is a violation of CA Constitution,

Federal law, and why the Environmental Justice Act^[1] was passed into law, to protect unrepresented communities from unwanted development. In this case both projects are within the Coastal Zone.

CHAPTER 3

COASTAL RESOURCES PLANNING AND MANAGEMENT POLICIES

Section 30240 Environmentally sensitive habitat areas; adjacent developments

(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 and parks and recreation 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 recreation areas.

(Amended by Ch. 285, Stats. 1991.)

Section 30241 Prime agricultural land; maintenance in agricultural production

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section [30250](#).

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

(Amended by: Ch. 1066, Stats. 1981; Ch. 43, Stats. 1982.)

Section 30241.5 Agricultural land; determination of viability of uses; economic feasibility evaluation

(a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section [30241](#) as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of

the following elements:

(1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

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(2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

For purposes of this subdivision, "area" means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program.

(b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission.

(Added by Ch. 259, Stats. 1984.)

Section 30244 Archaeological or paleontological resources

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Section 30251 Scenic and visual qualities

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 land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30252 Maintenance and enhancement of public access

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new

development

Section 30253 Minimization of adverse impacts

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor 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.
- (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

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- (4) Minimize energy consumption and vehicle miles traveled.
- (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30254 Public works facilities

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Section 30260 Location or expansion

Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

[1] The [Community Guide to Environmental Justice and NEPA Methods](#) provides information for communities who want to assure that their environmental justice (EJ) issues are adequately considered when there is a federal agency action that may involve environmental impacts on minority populations, low-income populations, and/or Indian tribes and indigenous communities.

Federal Guidance on Environmental Justice

[Executive Order 12898 \(February, 1994\) \(PDF\)](#)(5 pp, 19 K), “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” (EO 12898) directs each Federal Agency to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations,” including tribal populations.

The Presidential Memorandum accompanying EO 12898 emphasizes the importance of using the NEPA review processes to promote environmental justice. It directs Federal agencies to analyze the environmental effects, including human health, economic, and social effects, of their proposed actions on minority and low-income communities when required by NEPA.

The Memorandum calls for agencies to address significant adverse environmental effects on these communities in mitigation measures outlined or analyzed in:

- Environmental assessments (EAs)
- Findings of no significant impact (FONSIs)
- Environmental impact statements (EISs)
- Records of decision (RODs)

Agency Guidance Related to Environmental Justice and NEPA

In light of Executive Order 12898, the White House Council on Environmental Quality (CEQ) issued [Environmental Justice: Guidance Under the National Environmental Policy Act \(December, 1997\) \(PDF\)](#)(40 pp, 2.3 MB). This guidance includes six principles for environmental justice analyses to determine any disproportionately high and adverse human health or environmental effects to low-income, minority, and tribal populations. The principles are:

1. Consider the composition of the affected area to determine whether low-income, minority or tribal populations are present and whether there may be disproportionately high and adverse human health or environmental effects on these populations
2. Consider relevant public health and industry data concerning the potential for multiple exposures or cumulative exposure to human health or environmental hazards in the affected population, as well as historical patterns of exposure to environmental hazards
3. Recognize the interrelated cultural, social, occupational, historical, or economic factors that may amplify the natural and physical environmental effects of the proposed action
4. Develop effective public participation strategies
5. Assure meaningful community representation in the process, beginning at the earliest possible time
6. Seek tribal representation in the process

From: [Gordon Inkeles](#)
To: NorthCoast@Coastal
Subject: OLD ARCATA ROAD RENEWAL PROJECT
Date: Thursday, November 10, 2022 10:34:53 AM

- NOVEMBER 10, 2022
-
- REGARDING THE OLD ARCATA ROAD RENEWAL PROJECT:
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-
- We recommend that the Coastal Commission follow the staff recommendation and find "No Substantial Issue" for both appeals (Appeal No. A-1-ARC-22-0010 and Appeal No. A-1-HUM-22-0026).
- Note that staff have found that none of the contentions raise a substantial issue as to the project's consistency with the certified Local Coastal Program and that the City of Arcata and the County of Humboldt have provided a high degree of factual and legal documentation that shows they have followed proper procedure and met all applicable requirements to obtain approval for development in the Coastal Zone.
- Furthermore, note that the City of Arcata and the County of Humboldt have complied with all proper procedures and met all requirements for overall project environmental review, permitting, approvals, and public input and engagement.
- Note that the extent and scope of this project is limited to an existing developed roadway and the immediate adjacent right-of-way, and the project includes protective mitigation measures that will ensure that there will be no significant coastal resources impacted.

. This project is strongly supported by the vast majority of neighboring property owners and residents who will be most affected, as well as by the majority of the Bayside community

. The traffic entering Bayside via the Old Arcata Road and Jacoby Creek Road intersection, where the roundabout will be located, is currently posing a significant hazard to pedestrians, bicyclists, children walking to school, dog walkers, and to the general community due to excessive automobile speeds. The community supports the development of a roundabout and feels it will greatly improve public safety. A small, but very

vocal group called Bayside Cares is opposed to the project. They have no valid claims to stop the project, but instead are trying to stop it by any means possible. They would be best served by working with the City of Arcata and the community of Bayside to make sure their concerns are addressed and to support the successful completion of the proposed project that will greatly benefit the entire community.

- **JACOBY CREEK SCHOOL is at the center of this project. We have dozens of small children walking in traffic every day for lack of sidewalks. Any further delays in completing this project will put them at significant risk.**

Sincerely,

GORDON AND IRIS INKELES
1641 HYLAND STREET
BAYSIDE, CA. 95524

To: California Coastal Commission

From: Jude Power

Re: Comment on Nov 18, 2022 North Coast District agenda items: New Appeals 8.a and 8.b

Dear Commissioners,

I write today to encourage you to follow CCC staff recommendations to find “No Substantial Issue” for two related appeals: A-1-ARC-22-0010 (City of Arcata) and A-1-HUM-22-0026 (City of Arcata, Humboldt Co.).

What should have been a routine process has, sadly, become an opening for a small number of contrarians to once again attempt to impede a well-designed safety enhancement: the Old Arcata Road Improvement Project. CCC staff have found that there is “a high degree of factual and legal support” for the County’s and City’s findings that water quality will be protected during and after construction, and that the project is compatible with the character of the surrounding area.

Importantly, a majority of community members strongly favor this project in its entirety, including the roundabout. For example, on February 16, 2022, when the Arcata City Council voted to approve the project, MORE THAN THREE TIMES as many people spoke in favor of the project as against it (24:7, to be exact). The proportion of supporters has consistently been two to three times greater than opponents since the project was first proposed in 2017.

The public record shows that the Arcata Community Development Dept. has encouraged, and received, input from residents inside and outside the city limits since this project was initiated, and that all comments have been examined and responded to in writing for the public to see. Those of us who live inside the project area want the increased safety it will provide, including the roundabout which will calm traffic that is becoming denser and faster as more people move to the Humboldt Bay Area.

Specific to the concern that the roundabout will compromise visual resources, many community supporters have expressed the opinion that it will actually improve the visual blight of the existing intersection. The entry to Arcata for motorists coming north along Old Arcata Road will be far more attractive with a landscaped roundabout than it is with the cyclone fencing and gravel on the road right-of-way at this time.

Please don’t cause this much needed project to be delayed any longer. Participants at State, County, City and community levels fully support it.

Thank you for your service to California,
Jude Power
Hyland St.
Bayside 95524



OLD ARATA ROAD LOOKING SOUTH
SOUTHERN PROJECT AREA



SKILLION OF PROPOSED BACKDRIFT

From: [Stanley Binnie](#)
To: NorthCoast@Coastal
Cc: [Kimberly Tays](#)
Subject: Public Comment on November 2022 Agenda Item Friday 8a - Appeal No. A-1-ARC-22-0010 (City of Arcata, Arcata)
Date: Sunday, November 6, 2022 5:59:20 PM

Note: This public comment is submitted by Kimberly Tays via Stan Binnie's iPad, as my keyboard is not working.

Dear Commissioners:

I do not oppose the project under appeal, but I wish to point out persistent problems I have observed over the past 17 years with mitigation measures or specific conditions set forth in projects in the coastal zone of Humboldt County. I hope by relaying my concerns, that more specific conditions will be incorporated into this Coastal Development Permit (CDP).

In my opinion, the weak link in the CDP approval process is a lack of monitoring to insure that conditions and mitigation measures set forth in permits are successfully met. Bold declarations are made in the application documents by the applicant(s) or their representatives, but too many times I have seen projects completed where the mitigation measures and/or specific conditions are not met. (If requested, I can provide information on specific CDPs in which this has happened.)

Below are the various problems I have witnessed with CDP conditions and/or mitigation measures:

1. Oftentimes, the mitigation goals set for landscaping are not met because: (1) the newly planted native vegetation is not cared for and dies, (2) dead or dying plants are not replaced with new plants, and (3) the plants end up being decimated, later on, by insensitive mowing or vegetation removal activities along our roads and trails.
2. If the native landscaping does not survive or thrive, the disturbed project area typically becomes infested with the usual suite of invasive plant species that are harmful to Humboldt County's biodiversity. Once those invasive plant species move in, and no effort is made to eradicate them, the invasives eventually crowd out the native plants that tend to grow more slowly and take more time to become established.
3. Another problem I have seen with permitted landscaping projects in the coastal zone is that when individual native plants die, the posts and fencing used to protect the young plants are oftentimes left behind, creating visual clutter on the landscape. And it appears that there are no timely attempts made to remove the dead plants and replace them with new plants.
4. In regards to landscaping the Jacoby Creek roundabout, Exhibit 3 says: "Plantings would be consistent with other City roundabouts and public right of ways." (See Section 2.5.7 Landscaping.) Unfortunately, many of Arcata's roundabouts are not very attractive or interesting. Some of them consist of a sole tree surrounded by a scalped lawn or are filled with weeds. I would like to see a landscaping plan that is more creative than what we see now in Arcata's roundabouts and for commissioners to ask the City to put forth a specific landscaping plan that incorporates native plantings in the roundabout that support birds, bees and butterflies and requires the plants to be perpetually cared for so that they thrive and are

visually pleasing.

5. With regards to erosion control. I have noticed that during construction activities, and once road projects are completed, that wetland boundary protection or erosion control materials (i.e., sediment cloth or orange fencing) oftentimes are not properly secured, maintained or removed and end up tearing and/or breaking into pieces. The improper use of these plastic-based materials are contributing to the ever-increasing problems with plastics pollution in our environment and waterways.

I am hopeful the Coastal Commission will put forth conditions or mitigation measures to address my concerns and require that some sort of monitoring plan be implemented after the project is completed to insure that the conditions/mitigation measures set forth in the CDP are successfully met.

Thank you for considering my thoughts on this agenda item.

Kimberly Tays
(Resident of Humboldt County with an Arcata address)
Email: kimkat067@gmail.com

Sent from my iPad

Jim Zoellick
1766 Old Arcata Rd.
Bayside, CA 95524

November 8, 2022

California Coastal Commission
North Coast District
1385 8th Street, Suite 130
Arcata, CA 95521

Subject: Old Arcata Road Rehabilitation and Pedestrian/Bikeway Improvements Project, Coastal Development Permit Appeals (A-1-ARC-22-0010, A-1-HUM-22-0026)

Dear California Coastal Commission,

My name is Jim Zoellick and I live at 1766 Old Arcata Road in Bayside, CA. I am a homeowner and have lived here for the last 23 years. My wife and I walk our dog daily in our neighborhood and I bicycle frequently in the area. We live three houses north of the Jacoby Creek Road intersection where the proposed roundabout will be installed, and we are huge supporters of the Old Arcata Road Rehabilitation Project, including the proposed roundabout. As recommended by California Coastal Commission staff, we encourage you to find “No Substantial Issue” with the Appeals listed above (A-1-ARC-22-0010, A-1-HUM-22-0026) and deny these appeals.


I cite the following reasons for finding “No Substantial Issue” and denying the appeals:

1. As described in the Staff Reports, California Coastal Commission staff have found that none of the purported contentions raise a substantial issue as to the project's consistency with the certified Local Coastal Program. In addition, the City of Arcata and the County of Humboldt have provided a high degree of factual and legal documentation that shows they have followed proper procedure and met all applicable requirements to obtain approval for development in the Coastal Zone.
2. Furthermore, the City of Arcata and the County of Humboldt have complied with all proper procedures and met all requirements for overall project environmental review, permitting, approvals, and public input and engagement.
3. In addition, the extent and scope of the proposed project is limited to an existing developed roadway and the immediate adjacent right-of-way, and the project includes protective mitigation measures that will ensure that there will be no significant coastal resources impacted.
4. Finally, note that the proposed project is strongly supported by most neighboring property owners and residents, as well as by most of the larger Bayside community. The traffic entering Bayside via the Old Arcata Road and Jacoby Creek Road intersection, where the roundabout will be located, is currently posing a significant hazard to pedestrians and bicyclists, and to the general community due to excessive automobile speeds. Most of the community supports the development of a roundabout and feels it

will significantly improve public safety. A small, but very vocal group is opposed to the project. They have no valid claims to stop the project, but instead are trying to stop it by any means possible. They would be best served by working with the City of Arcata and the community of Bayside to ensure their concerns are addressed and to support the successful completion of the proposed project that will greatly benefit the entire community.

As a resident of California who lives immediately adjacent to the Coastal Zone and to the proposed Old Arcata Road Rehabilitation and Pedestrian/Bikeway Improvements Project, I urge you to find No Substantial Issue and to deny appeals A-1-ARC-22-0010, A-1-HUM-22-0026.

Thank you for your consideration and for the work you do for the State of California to protect our coastal resources.

A handwritten signature in black ink, appearing to read "Jim Zoellick". The signature is fluid and cursive, with the first name "Jim" being more prominent than the last name "Zoellick".

Jim Zoellick