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 US Feet

Map Projection: Lambert Conformal Conic  
 Horizontal Datum: North American 1983  
 Grid: NAD 1983 StatePlane/California 11 FIPS 5401 Feet



City of Fortuna  
 Kernan Road/US 101 Interchange

Project No. 11214735  
 Revision No. -  
 Date: September 2022

Project Overview

FIGURE 3

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**EXHIBIT 3**

**Draft Initial Study & Mitigated Negative Declaration for  
the Kenmar Road and US 101 Interchange Project**

**Provided under separate cover**

**EXHIBIT 5**

**Draft Initial Study & Mitigated Negative Declaration Appendices for  
the Kenmar Road and US 101 Interchange Project**

**Provided under separate cover**

## **Exhibit 7**

### **Mitigation Monitoring and Reporting Plan**



# Mitigation Monitoring and Reporting Program

## City of Fortuna - Kenmar Road and US 101 Interchange Project

Environmental Protections Actions (EPA) and Mitigation Measures (MM)	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p><b>EPA 1 – Stormwater Pollution Prevention Plan (SWPPP)</b></p> <p>The Project will obtain coverage under State Water Resources Control Board (Water Board) Construction General Permit associated with construction. The lead agency for construction will submit permit registration documents (notice of intent, risk assessment, site maps, SWPPP, annual fee, and certifications) to the Water Board. The SWPPP will address pollutant sources, best management practices, and other requirements specified in the Order. The SWPPP will include erosion and sediment control measures, and dust control practices to prevent wind erosion, sediment tracking, and dust generation by construction equipment. A Qualified SWPPP Practitioner will oversee implementation of the Project SWPPP, including visual inspections, sampling and analysis, and ensuring overall compliance.</p>	<p>City's contractor, to be verified by a SWPPP practitioner</p>	<p>Performance criteria – North Coast Regional Water Quality Control Board and City standards</p> <p>Reporting actions – As required by the state permit</p> <p>Schedule - During project construction activities, including work and non-work times</p>	
<b>Air Quality</b>			
<p><b>MM AQ-1: BMPs to Reduce Air Pollution</b></p> <p>The contractor shall implement the following BMPs during construction:</p> <ul style="list-style-type: none"> <li>- Disturbed surfaces (e.g., staging areas, soil piles, active graded areas, excavations, and unpaved access roads) shall be watered as needed for dust suppression.</li> <li>- All visible mud or dirt track-out onto adjacent public roads shall be removed using street sweepers at least once per day, or as needed to alleviate dust and debris on the roadway.</li> <li>- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour, unless the unpaved road surface has been treated for dust suppression with water, rock, wood chip mulch, or other dust prevention measures.</li> <li>- All areas to be paved shall be completed as soon as practical.</li> <li>- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes.</li> </ul>	<p>City and City's contractor</p>	<p>Performance criteria – North Coast Unified Air Quality Management District standards</p> <p>Reporting actions – Verify requirements are included in final plans and specifications</p> <p>Schedule – During construction, check jobsite compliance as necessary</p>	

Environmental Protections Actions (EPA) and Mitigation Measures (MM)	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<b>Biological Resources</b>			
<p><b>MM BIO-1: Mitigation Measure BIO-1: Protect Special Status Amphibians and Reptiles</b></p> <p>No more than one week prior to commencement of ground disturbance within 50 feet of mapped wetlands, riparian habitat associated with Mill Creek, and Sensitive Natural Communities within the Project Area, a qualified biologist shall perform a pre-construction survey and shall relocate any individuals of Northern Red-legged Frog, Yellow-legged Frog, or Western Pond Turtle or egg masses of Northern Red-legged Frog that occur within the work-impact zone to nearby suitable habitat.</p> <p>In the event that a Northern Red-legged Frog, Yellow-legged Frog, or Western Pond Turtle is observed in an active construction zone, the contractor shall halt construction activities in the area where observed and the frogs or turtles shall be moved to a safe location in similar habitat outside of the construction zone.</p>	City and City's biologist and contractor	<p>Performance criteria – California Department of Fish and Wildlife (CDFW) standards</p> <p>Reporting actions – Verify requirements are in final specifications; verify completion and documentation of surveys, if necessary</p> <p>Schedule – Pre-construction and during construction; verify applicable protection measures are implemented</p>	
<p><b>MM BIO-2: Protect Special Status, Migratory, and Nesting Birds</b></p> <p>Ground disturbance and vegetation clearing shall be conducted, if possible, during the fall and/or winter months and outside of the avian nesting season (March 15 – August 15) to avoid any direct effects to special status and protected birds. If ground disturbance cannot be confined to work outside of the nesting season, a qualified biologist shall conduct pre-construction surveys within the vicinity of the Project Area, to check for nesting activity of native birds and to evaluate the site for presence of raptors and special status bird species. The biologist shall conduct at minimum a one-day pre-construction survey within the 7-day period prior to vegetation removal and ground-disturbing activities. If ground disturbance and vegetation removal work lapses for seven days or longer during the breeding season, a qualified biologist shall conduct a supplemental avian pre-construction survey before Project work is reinitiated.</p> <p>If active nests are detected within the construction footprint or within the construction buffer established by the Project biologist, the biologist shall flag a buffer around each nest. Construction activities shall avoid nest sites until the biologist determines that the young have fledged, or nesting activity has ceased. If nests are documented outside of the construction (disturbance) footprint, but within the construction buffer, nest buffers will be implemented as needed. In general, the buffer size for common species will be determined on a case-by-case basis in consultation with CDFW. Buffer sizes will take into account factors such as (1) noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity; (2)</p>	City and City's biologist and contractor	<p>Performance criteria – California Department of Fish and Wildlife (CDFW) standards</p> <p>Reporting actions – Verify that protection and avoidance measures are in final specifications; verify completion and documentation of surveys, if necessary</p> <p>Schedule – Pre-construction and during construction; verify applicable disturbance buffers and protection measures are implemented</p>	

Environmental Protections Actions (EPA) and Mitigation Measures (MM)	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p>distance and amount of vegetation or other screening between the construction site and the nest, and (3) sensitivity of individual nesting species and behaviors of the nesting birds.</p> <p>If active nests are detected during the survey, the qualified biologist shall monitor all nests at least once per week to determine whether birds are being disturbed. Activities that might, in the opinion of the qualified biologist, disturb nesting activities (e.g., excessive noise), shall be prohibited within the buffer zone until such a determination is made. If signs of disturbance or distress are observed, the qualified biologist shall immediately implement adaptive measures to reduce disturbance. These measures may include, but are not limited to, increasing buffer size, halting disruptive construction activities in the vicinity of the nest until fledging is confirmed or nesting activity has ceased, placement of visual screens or sound dampening structures between the nest and construction activity, reducing speed limits, replacing and updating noisy equipment, queuing trucks to distribute idling noise, locating vehicle access points and loading and shipping facilities away from noise-sensitive receptors, reducing the number of noisy construction activities occurring simultaneously, and/or reorienting and/or relocating construction equipment to minimize noise at noise-sensitive receptors.</p>	City and City's contractor	Performance criteria – California Department of Fish and Wildlife (CDFW) standards Reporting actions – Completion and documentation of surveys, if necessary Schedule – Pre-construction and during construction; verify applicable disturbance buffers and protection measures are implemented	
<p><b>MM BIO-3: Compensatory Mitigation for Sensitive Natural Communities</b></p> <p>Construction within mapped Sensitive Natural Communities (Shining willow groves) shall be avoided to the greatest extent practicable. If impacts are unavoidable and <u>Shining willow</u> groves are removed or detrimentally impacted, mitigation will occur at a minimum ratio of 1:1. A Mitigation and Monitoring Plan shall be prepared in coordination with State resource agencies. Onsite locations for wetland mitigation shall be prioritized. If suitable locations for onsite mitigation is not sufficiently available, offsite mitigation shall occur at locations identified in Figure 3</p> <p>The Plan shall be acceptable to State agencies with jurisdiction 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 ratio and conditions of mitigation will be negotiated in consultation with the City and State resource agencies with jurisdiction over sensitive natural communities. The Plan shall be implemented by the City.</p>	City and City's contractor	Performance criteria – County, state, and federal standards, consistent with the project's permits Reporting actions – Verify that protection and	
<p><b>MM BIO-4: Avoidance and Minimization Measures to Protect Juxtaposed Wetlands</b></p> <p>The City shall implement the following avoidance and protection measures for Waters of the United States and Waters of the State adjacent to areas of planned disturbance that will not be impacted (filled or excavated) during Project construction:</p>	City and City's contractor	Performance criteria – County, state, and federal standards, consistent with the project's permits Reporting actions – Verify that protection and	



Environmental Protections Actions (EPA) and Mitigation Measures (MM)	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<ul style="list-style-type: none"> <li>- The City shall attempt to avoid or minimize impacts to wetlands/waters to the greatest extent feasible in the final design plans.</li> <li>- Adjacent wetlands shall be clearly identified in the construction documents and reviewed by the City prior to issuing for bid to ensure they are clearly marked as equipment exclusion zones during construction.</li> <li>- 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.</li> </ul>		<p>avoidance measures are in final specifications</p> <p>Schedule – During construction; check jobsite compliance as necessary</p>	
<p><b>MM BIO-5: Compensate for Loss of Wetlands and Waters</b></p> <p>The City shall avoid fill of seasonal wetlands and waters, to the extent feasible. If fill cannot be avoided, the City shall compensate for the loss of seasonal wetland habitat so that there is no net loss in wetlands. The City shall compensate for impacts to identified wetlands through restoration, rehabilitation, and/or creation of wetland at a ratio of no less than 1:1.2. A Mitigation and Monitoring Plan shall be prepared in coordination with the NCRWQB, the USACE, and Humboldt County. Compensation for wetlands shall occur so there is no net loss of wetland habitat at ratios to be determined in consultation with the NCRWQCB. Onsite locations for wetland mitigation shall be prioritized. If suitable locations for onsite mitigation is not sufficiently available, offsite mitigation shall occur at locations identified in Figure 3. The Plan shall be acceptable to the regulatory agencies with jurisdiction over wetlands and waters 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.</p> <p>The City shall also compensate for impacts to other waters by obtaining required permits from the U.S. Army Corp of Engineers, the North Coast Regional Water Quality Control Board, and Humboldt County shall be received prior to the start of any on-site construction activity. The City shall ensure any additional measures outlined in the permits are implemented.</p>	<p>City and City's biologist and contractor</p>	<p>Performance criteria – City, state, and federal standards, consistent with the project's permits</p> <p>Reporting actions – Verify requirements are in final specifications; verify completion of HMMP</p> <p>Schedule – Pre-construction, during construction, and post-construction; verify applicable compensatory mitigation is implemented; check jobsite compliance as necessary</p>	
<b>Cultural Resources</b>			
<p><b>MM CR-1: Protect Archaeological or Tribal Cultural Resources during Construction</b></p> <p>All recommendations resulting from the Extended Phase 1 investigation shall be implemented by the City prior to, during and following construction, as appropriate. The City shall document how Phase 1 each recommendation was implemented by recording the date, action taken, and responsible party.</p>	<p>City and City's archaeologist and contractor, Tribal Cultural Resource Monitor</p>	<p>Performance criteria – City, state, and federal standards</p> <p>Reporting actions – Verify requirements are in final plans and specifications;</p>	

Environmental Protections Actions (EPA) and Mitigation Measures (MM)	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p>Prior to the ground-disturbing construction activities (on the first day of work), construction personnel shall receive Cultural Resources Awareness Training to ensure that construction activities are conducted in a manner that is protective of known and unknown cultural resources. The training shall include information on the location and lateral extent of potential nearby cultural resources sites, avoidance of those areas, laws protecting such resources, and procedures for responding to inadvertent discovery situations. Avoidance of known cultural resources sites shall be determined by a professional archaeologist or Native American monitor and include establishing a no-disturbance buffer zone around known resources.</p> <p>Initial ground-disturbing activities near the previously recorded prehistoric resource shall be monitored by a Tribal Cultural Resource Monitor within 1,000 ft. If archaeological remains or potential tribal cultural resources are encountered during initial-ground disturbing activities, all work shall halt within a 50-foot radius of a discovery. Construction personnel shall not collect cultural materials. A qualified professional archaeologist shall be retained to evaluate the find, and the Tribal Cultural Resource Monitor shall be notified. If the find qualifies as a historical resource or unique archaeological resource as defined by CEQA, the archaeologist shall develop appropriate measures to protect the integrity of the resource in coordination with appropriate tribal representatives and ensure that no additional resources are affected. If the find qualifies as a tribal cultural resource as defined by CEQA, the City shall ensure that appropriate actions to protect the resource are taken and that no additional resources are affected.</p>		<p>verify completion of DPR 513 forms, if necessary</p> <p>Schedule – Pre-construction and during construction; verify applicable protection measures are implemented</p>	
<p><b>MM CR-2: Inadvertent Discovery of Archaeological Material</b></p> <p>if cultural materials for example: chipped or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 66 feet of the discovery, per the requirements of CEQA (Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendations for further action. Tribal representatives shall be notified.</p>	<p>City and City's archaeologist and contractor</p>	<p>Performance criteria – City, state, and federal standards</p> <p>Reporting actions – Verify requirements are in final specifications; verify completion of archaeological monitoring; verify completion of noticing as detailed in MM CR-2 upon inadvertent discovery</p> <p>Schedule – During construction; verify completion of archaeological monitoring as detailed in MM CR-2</p>	

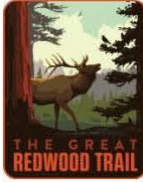
Environmental Protections Actions (EPA) and Mitigation Measures (MM)	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p><b>MM CR-3: Inadvertent Discovery of Human Remains</b></p> <p>If human remains are discovered during project construction, work will stop at the discovery location, within 66 feet, and any nearby area reasonably suspected to overlie adjacent to human remains (PRC, Section 7050.5). The Humboldt County Coroner will be contacted to determine if the cause of death must be investigated. If the Coroner determines that the remains are of Native American origin, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (PRC, Section 5097). The Coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in PRC, Section 5097.98.</p>	<p>City and City's archaeologist and contractor</p>	<p>Performance criteria – City, state, and federal standards  Reporting actions – Verify inclusion of language in final plans and specifications  Schedule – During construction; verify completion of protection measures and notifications if inadvertent discovery</p>	
<b>Geology and Soils</b>			
<p><b>MM GEO-1: Inadvertent Discovery of Paleontological Resources</b></p> <p>In the event that fossils are encountered during construction (i.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants), construction activities shall be diverted away from the discovery within 50 feet of the find, and a professional paleontologist shall be notified to document the discovery as needed, to evaluate the potential resource, and to assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue, or recommend salvage and recovery of the material, if it is determined that the find cannot be avoided. The paleontologist shall make recommendations for any necessary treatment that is consistent with currently accepted scientific practices. Any fossils collected from the area shall then be deposited in an accredited and permanent scientific institution where they will be properly curated and preserved.</p>	<p>City and City's contractor</p>	<p>Performance criteria – City, state, and federal standards  Reporting actions – Verify inclusion of language in final plans and specifications  Schedule – During construction; verify completion of protection measures and notifications if inadvertent discovery</p>	
<b>Hazards and Hazardous Materials</b>			
<p><b>MM HAZ-1: Inadvertent Discovery of Hazardous Soils</b></p> <p>A Preliminary Site Investigation (PSI) will be required within the Project Area, including:</p> <ul style="list-style-type: none"> <li>– Pre-characterization of soil and groundwater for potential CAM 17 Metals, TPH, TPHd, and VOC impacts will happen prior to the start of construction activities, specifically at locations along the remnant railroad corridor anticipated to be impacted during Project construction activities.</li> <li>– Pre-characterization for ADL in near surface soil will occur prior to initiation of construction activities, specifically at representative locations along the Project Area intersecting with Keamut Road, Riverwalk Drive, Eel River Road, and US Highway 101 ramps. The ADL pre-</li> </ul>	<p>City and City's contractor</p>	<p>Performance criteria – City and state standards  Reporting actions – Verify requirements are in final specifications; verify completion of SAP; verify completion of SGMP and SESTP, if applicable</p>	

Environmental Protections Actions (EPA) and Mitigation Measures (MM)	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p>characterization sampling will be conducted at discreet locations generally representative of soil conditions anticipated to be impacted during Project construction activities.</p> <p>If construction activities include demolition of concrete infrastructure (bridges, overpasses, box culverts), a hazardous materials assessment will be completed to maintain compliance with National Emission Standard for Hazardous Air Pollutant (NESHAP) as promulgated under 40 CFR Part 61 and/or 40 CFR Part 63.</p> <p>If construction activities include dewatering, and if laboratory analysis of pre-construction soil borings indicate elevated total and STLC concentrations of ADL and C-AM-17 Metals of 1,000 ppm and 5 mg/L, respectively, pre-construction characterization of groundwater will be required.</p> <p>If sampled soil is found to be impacted by constituents of concern above established Solubility Threshold Limit Concentration (STLC) and/or Toxicity Characteristic Leaching Procedure (TCLP) thresholds applicable to roadway land uses (ADL, C-AM-17 Metals, TPH, PCBs, VOC's, etc.), preparation of a Construction Soil Groundwater Monitoring Plan (SGMP) and/or Lead Compliance Plan be required prior to any construction activities. The Construction SGMP and/or Lead Compliance Plan will proactively plan and manage potentially encountered hazardous materials affected soils throughout the Project Area. The SGMP and/or Lead Compliance Plan will identify protocols that will be utilized to proactively manage potentially impacted soil and groundwater within the Project Area and reduce exposure to site workers.</p> <p>If pre-construction characterization indicates constituent of concern impacts above STLC levels to soil and/or groundwater, it is required that site workers involved in excavation activities be Hazardous Waste Operations and Emergency Response (HAZWOPER) trained (Occupational Safety and Health Administration [OSHA] 1910.120</p>		<p>Schedule – Pre- and during construction; verify requirements are implemented; check jobsite compliance as necessary</p>	
<b>Noise</b>			
<p><b>MM NOI-1: Reduce Construction Noise Levels</b></p> <p>The City and its contractor shall implement best management practices to reduce construction noise levels emanating from construction activities and minimize disruption and annoyance at the Riverwalk Drive RV Park. Specific measures that can be feasibly implemented to include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>– Provide advance notice to nearby residents and those within the Riverwalk Drive RV Park within 250 feet prior to starting work, with information regarding anticipated schedule, hours of operation and a project contact person.</li> <li>– Best available noise control practices (including mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) shall be used for equipment and trucks to minimize construction noise impacts.</li> </ul>	<p>City and City's contractor</p>	<p>Performance criteria – City standards</p> <p>Reporting actions – Verify requirements are in final specifications; verify completion of noticing as detailed in MM NOI-1</p> <p>Schedule – Pre- and during construction; verify applicable best management practices are implemented;</p>	



Environmental Protections Actions (EPA) and Mitigation Measures (MM)	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<ul style="list-style-type: none"> <li>- Stationary noise sources shall be located as far from sensitive noise receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used. Enclosure openings or venting shall face away from sensitive noise receptors.</li> <li>- Schedule work and deliveries to minimize noise-generating activities near the <b>Riverwalk</b> Drive RV Park.</li> </ul>		check jobsite compliance as necessary	
<b>Transportation</b>			
<p><b>MM TR-1: Maintain Emergency Access and Notify Emergency Responders</b></p> <p>The City shall require contractors to provide adequate emergency access to all properties along the corridor during the construction process. At locations where the access to a nearby property is temporarily blocked, the contractor shall be required to have ready the means necessary to accommodate access by emergency vehicles to such properties, such as plating over excavations. As construction progresses, emergency providers shall be notified in advance of the timing, location, and duration of construction activities and the locations and durations of any temporary lane closures.</p>	City and City's contractor	<p>Performance criteria – City and county standards</p> <p>Reporting actions – Verify requirements are in final specifications; verify completion</p> <p>Schedule – Pre- and during construction; verify jobsite compliance as necessary</p>	





**Great Redwood Trail Agency**

419 Talmage Road, Suite M  
Ukiah, CA 95482  
707-463-3280

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City of Fortuna  
Brendan Byrd, Public Works Director  
621 11<sup>th</sup> Street  
Fortuna, CA 95540

February 17, 2023

To whom it may concern;

I am writing to share serious concerns related to the City of Fortuna's (City) Kenmar Road and US 101 Interchange Project (Project) Initial Study & Proposed Mitigated Negative Declaration (ISMND).

The Great Redwood Trail Agency (GRTA) is a local agency established by the Great Redwood Trail Agency Act, Government Code § 93000 et seq., to develop and manage the Great Redwood Trail (GRT). The GRTA's jurisdiction is the former North Coast Railroad Authority right-of-way in Mendocino, Trinity, and Humboldt Counties. The GRTA owns and is responsible for the management, operation, and protection of its right-of-way, consistent with the potential for full restoration of railroad use should future needs dictate that a return to freight rail use is needed (CA Govt Code § 93024(a)(5))<sup>1</sup>. GRTA owns title to the railroad right-of-way in fee in the Project area.

The GRTA has significant concerns about the proposed Project and its negative impact on the GRTA right-of-way. As designed, the Project poses a significant risk to severing the rail right-of-way, which would jeopardize railbanking of the GRTA corridor, and thus the existence of the GRT itself, from Fortuna north. Railbanking is a legal process established in the National Trails System Act to preserve an out-of-service rail corridor through interim use as a trail. In October 2022, the federal Surface Transportation Board authorized the rail corridor within the project area to be railbanked. This railbanked right-of-way must be used in a manner consistent with full restoration of railroad use, at no cost to GRTA. The City's proposed Project jeopardizes continuous and uninterrupted use of the rail right-of-way and the line's current railbanking status.

In addition to our concerns related to severance, the Project presents serious safety concerns for trail users travelling along the future Great Redwood Trail. The City's proposed design bisects the GRT corridor with a roundabout. Trail users travelling north-south on the Great Redwood Trail would need to cross several busy intersections in the proposed roundabout. The increased number of complicated crossings on the future Great Redwood Trail poses a significant risk to both bicycle and pedestrian safety on the regional trail network. For the project to proceed, the roundabout design must be modified to increase north-south multi-modal safety on the Great Redwood Trail corridor, and it must not sever the GRTA rail line.

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<sup>1</sup> CA Govt Code § 93024(a)(5). To lease, rent, sell, exchange, or transfer interests in real property if doing so is both consistent with the potential full restoration of railroad use upon an order of the federal Surface Transportation Board without cost to the agency, and would not interfere with the continuous use of the rail rights-of-way pursuant to trail standards recommended by the American Association of State Highway and Transportation Officials.

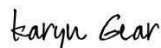
In addition to the above stated issues, please find specific comments on the ISMND document below:

- **Section 1.5 Project Location** – The description does not mention the encroachment on GRTA property and the use of the ‘railbanked railroad corridor,’ which it refers to as the ‘non-operational railroad corridor.’ This location is real property owned in fee by the GRTA, and should be reflected as such.
- **Section 1.7 Project Description**
  - **Roundabouts, and Approaches on Kenmar Road** – The proposed roundabout must, at a minimum, accommodate the rail corridor and future restoration of railroad use within the design.
  - **Pedestrian and Bicycle Facilities** – As designed, the Project will not enhance bicycle and pedestrian safety on the north-south Great Redwood Trail corridor. Trail users would be required to cross five (5) lanes of traffic across the new roundabout; this is unsafe and unacceptable.
  - **Utilities** – Utility and roads crossing the GRTA right-of-way require an encroachment permit application to be considered. Furthermore, utilities may require a license agreement. For more information about the GRTA permit application process, please visit our website here: <https://thegreatredwoodtrail.org/permits/>
- **Section 1.12 Required Agency Approvals** – The list does not include the required approval by GRTA of an appropriate instrument for long-term City use of GRTA’s real property. The project requires a permit application and engineer’s review of the design to consider the use of GRTA property and begin negotiations for a use agreement.
- **Section 3.17 Transportation** – As discussed above, the proposed design would impact bicycle and pedestrian safety on the future Great Redwood Trail. The current design conflicts with City of Fortuna General Plan *Policy TC-1.1: Reducing Mode Conflicts* and *Goal TC-5: Bicycle and Trail Facilities*.

The Great Redwood Trail is currently undergoing a master planning process which will be completed in early 2024. As Fortuna is a populated area, we anticipate this trail section will be a high priority for early trail implementation. Once complete, the Great Redwood Trail will connect Fortuna with nearby destinations and provide an estimated \$1,731,000 in economic benefits in Fortuna alone<sup>2</sup>.

While we commend the City for seeking to enhance east-west bicycle and pedestrian connectivity in this Project, the Kenmar Interchange Roundabout Project as currently designed is unacceptable to our agency. We look forward to working towards a solution with the City that addresses both the constraints of our fee title right-of-way and the need for enhanced trail user safety on the Great Redwood Trail.

Sincerely,



Karyn Gear  
Interim Executive Director  
Great Redwood Trail Agency

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<sup>2</sup> *The Great Redwood Trail Economic Benefits Assessment* (2023). State Coastal Conservancy. Available at: <https://greatredwoodtrailplan.org/#documents>

**EXHIBIT 8**  
**Final ISMND for**  
**the Kenmar Road and US 101 Interchange Project**

**Provided under separate cover**