



Kenmar Road and US 101 Interchange Project

**Final Initial Study/Mitigated Negative
Declaration – SCH No. 2022120278**

City of Fortuna

March 08, 2023



Kenmar Road and US 101 Interchange Project

Final Initial Study/Mitigated Negative Declaration – SCH No. 2022120278

Prepared for:



City of Fortuna
P.O. Box 545
Fortuna, CA 95540

Prepared by:



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1. Purpose of the Final ISMND

This Final Initial Study/Mitigated Negative Declaration (ISMND) for the Kenmar Road and US 101 Interchange Project (Project) consists of comments received on the Public Circulation ISMND, the City of Fortuna's (City) responses to comments, and revisions to the ISMND via errata. The ISMND identified likely environmental consequences associated with the Project, and recommended mitigation measures to reduce potentially significant impacts.

2. Environmental Review Process

The City, serving as the California Environmental Quality Act (CEQA) Lead Agency, prepared a ISMND for the Kenmar Road and US 101 Interchange Project (hereafter referred to as the Project). The ISMND was submitted to the State Clearinghouse for review by state agencies, and to agencies with jurisdiction by law over resources affected by the Project on December 13, 2022. The initial public circulation period was from December 13, 2022 through January 12, 2023. The ISMND was later recirculated between January 23, 2023 and February 21, 2023 to ensure the document was shared directly with the County of Humboldt Building and Planning Department and the Great Redwood Trail Agency (GRTA).

In accordance with the requirements of CEQA, the City provided a Notice of Intent to Adopt a Mitigated Negative Declaration to the public, responsible agencies, trustee agencies, Humboldt County Clerk, and State Clearinghouse. The City posted the ISMND on its website at <https://www.friendlyfortuna.com> and made a hardcopy available for public review at the Community Development Department at Fortuna City Hall, 621 11th Street, Fortuna. The City published a Notice of Intent to Adopt in the Times Standard on January 21, 2023. The Notice of Intent to Adopt was posted at the Humboldt County Clerk's office for a period of at least 30 days.

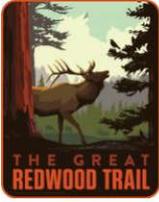
The City Council of the City of Fortuna will hold a meeting in the Fortuna City Council Chambers on Monday March 20, 2023, at 6:00 p.m., to consider adoption of the Final ISMND and approval of the Project. Noticing and review periods required by CEQA have been satisfied. The ISMND was completed under the direction and supervision of the City with support from their consultant team and reflects the City's independent judgement and analysis of the potential environmental effects of the Project.

The contact person for the City is:

Liz Shorey, Deputy Director of Community Development
City of Fortuna
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Phone: (707) 725-1408
Email: lshorey@ci.fortuna.ca.us

3. Comments and Responses

During the public comment period for the ISMND, the GRTA submitted formal comments on the Project. The City received no other formal comments from the public or other agencies. This Final ISMND includes responses to comments received from the GRTA.



Great Redwood Trail Agency

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

City of Fortuna
Brendan Byrd, Public Works Director
621 11th 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))¹. 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.

¹ 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 alone².

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

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

3.1 City Responses to GRTA Comments

The City acknowledges concerns expressed by the GRTA comment letter and looks forward to ongoing collaboration with the agency to clarify Project details and confirm GRTA requirements will be met.

Concerns About the Negative Impact on the GRTA Right of Way

The City appreciates the concerns expressed regarding the GRTA right-of-way. While the issues raised are not environmental issues as defined by CEQA in the Environmental Checklist, the City recognizes the ability to restore future railroad use is a requirement of rail banking. As part of the final design process, the City will demonstrate how the railroad operations can be retained through their right-of-way, including stop controls and other required features should the restoration of railroad use be required in the future. Please see Image 1 as an example of how the roundabout can be modified in the future to accommodate restored railroad use. As shown in the Image 2 planview of the same Healdsburg intersection, enhanced pedestrian crossings surrounding the roundabout provide safe travel routes for non-motorized users to navigate the intersection. The City recognizes a future use agreement with GRTA will be required, as discussed below in Section 4 – Errata for the ISMND Section 1.12 – Required Agency Approvals.



Image 1 – Example of a roundabout that accommodates railroad use in Healdsburg, CA at Mill and Vine Streets (image via Google Earth Street View)

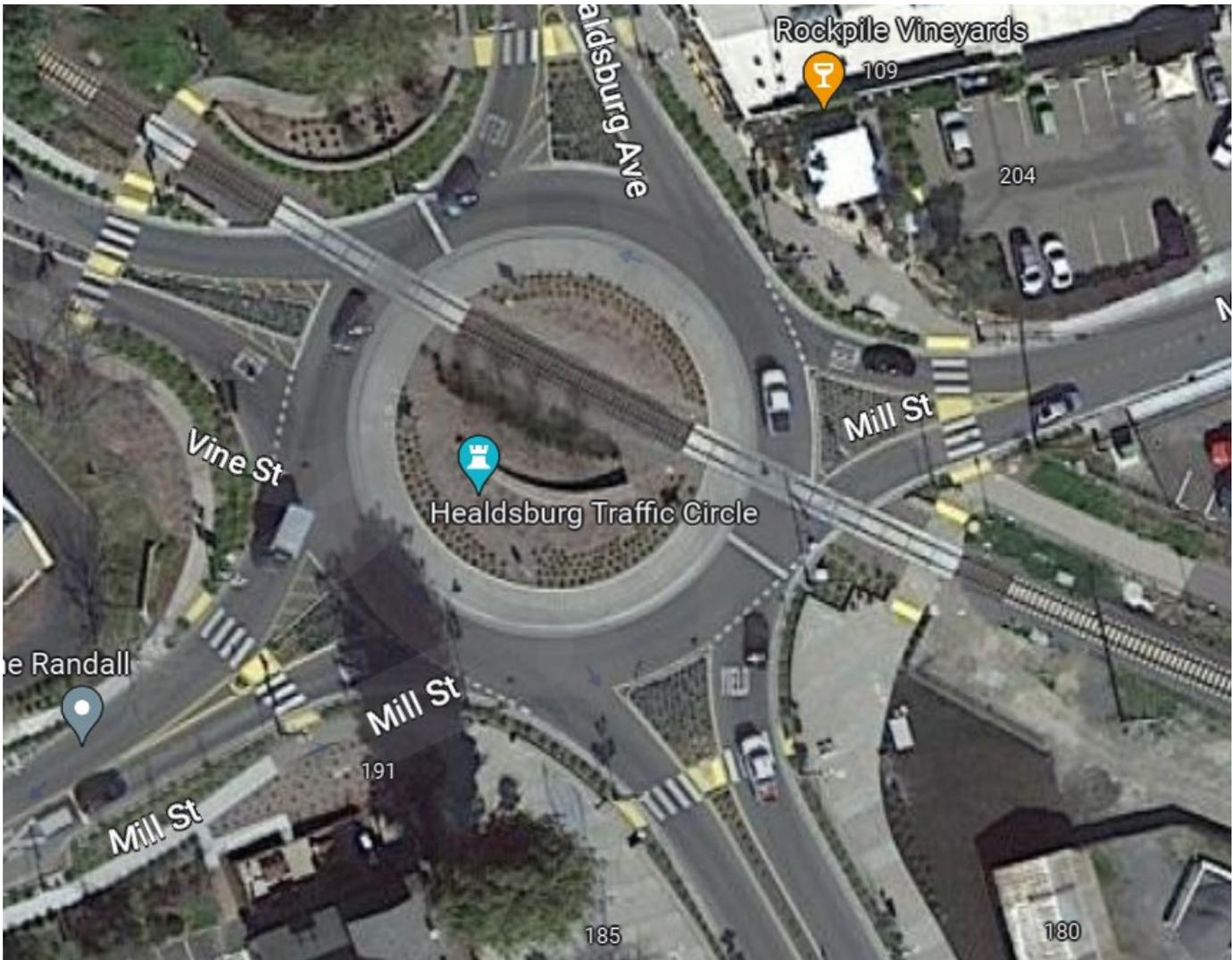


Image 2 – Example of a roundabout that accommodates railroad use in Healdsburg, CA at Mill and Vine Streets with crossings away from rail alignment (image via Google Earth Street View)

Safety Concerns for Trail Users

The City appreciates the concerns expressed regarding safety and comfort for trail users traveling along the future Great Redwood Trail (GRT) through the Project intersection. This Project represents an overall improvement to safety for bicyclists and pedestrians crossing the interchange, and further refinements will continue to be made as part of the final design process. Under current conditions, the GRT alignment crosses Kenmar Road midblock between two closely-spaced intersections—the US 101 NB on/off ramps, and Eel River Drive/Atterberry Lane. Both intersections are uncontrolled on the Kenmar Road approaches, which results in vehicles traveling through the corridor at speeds often exceeding the posted speed limit of 35 mph. Furthermore, drivers exiting US 101 NB making a right turn onto Kenmar Road currently have a “free-right-turn” slip lane that supports high-speed turning movements in close proximity to the GRT alignment. A future trail crossing at this existing configuration would require bicyclists and pedestrians to navigate an uncontrolled crossing of this high-speed facility, likely requiring implementation of additional features to enhance the crossing by reducing vehicle speeds, improving driver yielding, or reducing exposure of trail users to potential conflicts.

This Project addresses several of the safety challenges presented by the existing condition, including reducing driver speeds through the area, reducing crossing distances for bicyclists and pedestrians, and the opportunity to install rectangular rapid-flashing beacons (RRFBs) to improve crossing visibility and driver yielding. Additionally, new lighting will increase safety at night for pedestrians and cyclists. Through geometric design, the roundabout approaches reduce vehicle speeds to a design speed of 15-25 mph, improving safety by allowing drivers more time to notice trail users and yield appropriately. Although the overall crossing distance for a trail user would be longer than the existing uncontrolled crossing, the proposed alignment of the trail crossing at the intersection improves safety by locating crossings where drivers will be slowing and watching for potential conflicts with other vehicles, bicyclists, and pedestrians. Reduced speeds also contribute to reduced severity of collisions when they do occur. Crossings are shortened and simplified through narrowing of lanes and including refuge islands. As a result, trail users cross only one lane of traffic at a time before reaching a waiting area physically protected by raised islands. RRFBs placed at each crossing would improve visibility of crossings through trail user-activated bright flashing lights. Trail crossings are set back from the circulating lane of the roundabout by at least one car length, which allows drivers to yield to bicyclists and pedestrians at the crossing before pulling forward to wait for a gap to enter the roundabout. Together, these design features will provide a safer and more comfortable crossing for bicyclists and pedestrians along the future GRT compared to a crossing of the existing uncontrolled, high-speed, midblock location. Please see Final ISMND Figure 1 below in Section 4 – Errata, which indicates the connectivity pathway for future GRTA users across Kenmar Road and Project facilities.

Comment for Section 1.5 Project Location

The Project Location has been updated in Section 4 – Errata to reflect the GRTA property and railbanked railroad corridor as requested.

Comment for Section 1.7 Project Description / Roundabouts, and Approaches on Kenmar Road

The Project Description subsection on roundabouts has been updated in Section 4 – Errata to reflect the requirement to accommodate the future restoration of railroad use as requested.

Comment for Section 1.7 Project Description / Pedestrian and Bicycle Facilities

As described above, the Project would significantly improve pedestrian and bicycle facilities and safety, compared to existing conditions. Errata has been added in Section 4 to reference Figure 1, which shows the GRTA connectivity pathway for users through across Kenmar Road. No additional changes to the ISMND have been made.

Comment for Section 1.7 Project Description / Utilities

The Project Description subsection on utilities has been updated in Section 4 – Errata to reflect the requirement to for obtaining a GRTA encroachment permit as requested. This detail was also added in the Section 1.5.

Comment for Section 1.12 Required Agency Approvals

Section 1.12 has been updated in Section 4 – Errata as requested to include the noted GRTA requirements.

Comment for Section 3.17 Transportation

As discussed above, the Project will improve bicycle and pedestrian safety. The Project is consistent with the City's General Plan. No additional changes to the ISMND have been made.

4. Errata

The purpose of this errata is to document revisions to the ISMND that are intended to clarify project details since it was submitted to the Office of Planning and Research State Clearinghouse on December 12, 2022, and publicly circulated between December 12, 2022, and January 10, 2023, and recirculated between January 23, 2023, and February 21, 2023.

The errata include excerpts of text from the ISMND that are proposed for modification and does not include the entire ISMND. Specifically, the entire subsection that contains the text proposed for modification is copied into the errata, and newly proposed text in the errata is **underlined and bolded**, deleted text from the original ISMND is stricken with ~~single strikethrough~~, and unchanged text remains in normal font. Only the subsections of the original ISMND that are proposed for modification are copied into the errata.

4.1 Project Description

Section 1.5 Project Location

The Project Area is located approximately 1,000 feet east of the Eel River near the southwestern corner of the City of Fortuna. The Project Area is approximately 16 acres in size and is primarily comprised of existing Caltrans, City of Fortuna, and County of Humboldt right-of-way (Figure 2 – Project Overview). **In October 2022, the federal Surface Transportation Board authorized the rail corrido within the Project Area to be railbanked. The railbanked right-of-way must be used in a manner consistent with full restoration of potential future railroad use. The Project requires encroachment on Great Redwood Trail Agency (GRTA) property and use of a railbanked railroad corridor. The railroad corridor is owned in fee by the GRTA. Project activities within the GRTA right-of-way would require an encroachment permit from the GRTA.**

West of the US 101 right-of-way, the Project is located largely within the existing City of Fortuna right-of-way that contains Riverwalk Drive. The Project would include small areas of encroachment into portions of APN 201-152-013 (agricultural field); APN 201-152-015 (an existing 87-space RV park) would be temporarily or permanently occupied by the realigned roadway, and other parcels in the vicinity.

East of the US 101 right-of-way, the Project is located within City, County, Caltrans, and railroad right-of-way. The Project would include an area of encroachment into APN 202-022-001 in order to accommodate the proposed shared use path and the driveway conform to the parcel.

The Project Area also includes ~~a non-operational railroad corridor~~ and anadromous Mill Creek, which crosses under Kenmar Road. The Project Area is located partially within the city limits of Fortuna and partially within unincorporated Humboldt County. Portions of the Project Area are located in the Coastal Zone, including Riverwalk Drive and both southbound and northbound lanes of US 101 to the south of the interchange (Humboldt County, 2022g). Of the portions of the Project Area located within the Coastal Zone, all Project activities are located within the jurisdiction of the Humboldt County Local Coastal Program (Eel River Area Plan). No portions are located within the State retained Coastal Zone jurisdiction.

Section 1.7 Roundabouts, and Approaches on Kenmar Road

A new roundabout is proposed for each side of US 101 (two new roundabouts in total) to improve traffic operations and safety (Figure 2 – Project Overview). **The roundabout on the east side of US 101 would accommodate the rail corridor and future restoration of railroad use.** Excavation to accommodate the roundabout and roadway approaches is expected to be approximately 2 to 4 feet, although some isolated deeper excavations may be required to remediate poor soil/subgrade conditions, or to accommodate the installation of underground utilities and structure foundations.

Concrete improvements associated with the roundabout include the roundabout aprons, splitter islands, shared use paths, sidewalks/walkways/paths, and curbs. The truck aprons would include integral color to provide contrast from the other concrete features while avoiding a stark visual alteration. The roundabout center island and splitter islands would be landscaped or hardscaped and designed to blend into the existing community aesthetic and character.

Both travel lanes of Kenmar Road on either side of US 101 would be realigned and widened as necessary to support the new roundabouts.

The Project would include five new roundabout splitter islands in the following locations:

- West of the southbound ramp roundabout on Riverwalk Drive, in front of the RV park

- Between the two roundabouts on Kenmar Road, under US 101
- East of the northbound ramp roundabout on Kenmar Road between east- and west-bound travel lanes, and between the westbound lane and northbound ramp turn lane
- On Eel River Drive, near the Park and Ride

Splitter islands would include pedestrian refuge islands and provide connectivity with new crosswalks (Figure 2 – Project Overview)

Section 1.7 Pedestrian and Bicycle Facilities

New shared use paths, and curb ramps would be constructed on the north side of Kenmar Road, providing improved pedestrian and bicycle safety and enhanced connectivity across US 101. **The Project includes user-activated rectangular rapid-flashing beacons (RRFBs) to improve crossing visibility and driver yielding.** Beneath the highway bridge, a retaining wall would be constructed to accommodate the entire width of the shared use path. Through signing and striping, cyclists may also proceed through the interchange by taking the full traveled way. The new shared use paths would connect to new crosswalks across the US 101 southbound offramp and northbound onramp to allow for future connectivity to planned trail improvements, including the Great Redwood Trail (**Final ISMND Figure 1**).

Section 1.7 Utilities

The following is a preliminary list of utilities within the construction limits:

- Natural Gas
- Overhead and Underground Electric
- Overhead and Underground Communications
- Potable Water
- Storm Drainage

Constructing the Project would require the relocation of both above and below ground utilities that conflict with planned Project elements. **Project activities related to utilities within the GRTA right-of-way would require an encroachment permit from the GRTA.**

Section 1.7 Off-Site Mitigation

If compensatory mitigation for one-parameter wetlands and other regulated habitats cannot be achieved within the established Project Area, off-site mitigation would occur at suitable locations deemed acceptable to jurisdictional agencies. Off-site mitigation would occur at the following locations as shown in Figure 3:

- In various locations within the southern portion of the former Palco Mill site, along the Mill Creek and Strongs Creek riparian corridor
- APN 202-051-008, proximal to the Strongs Creek riparian corridor
- **APN 201-152-013, adjacent to the Project Area and within the Coastal Zone**

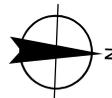
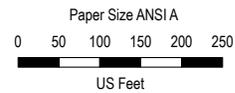
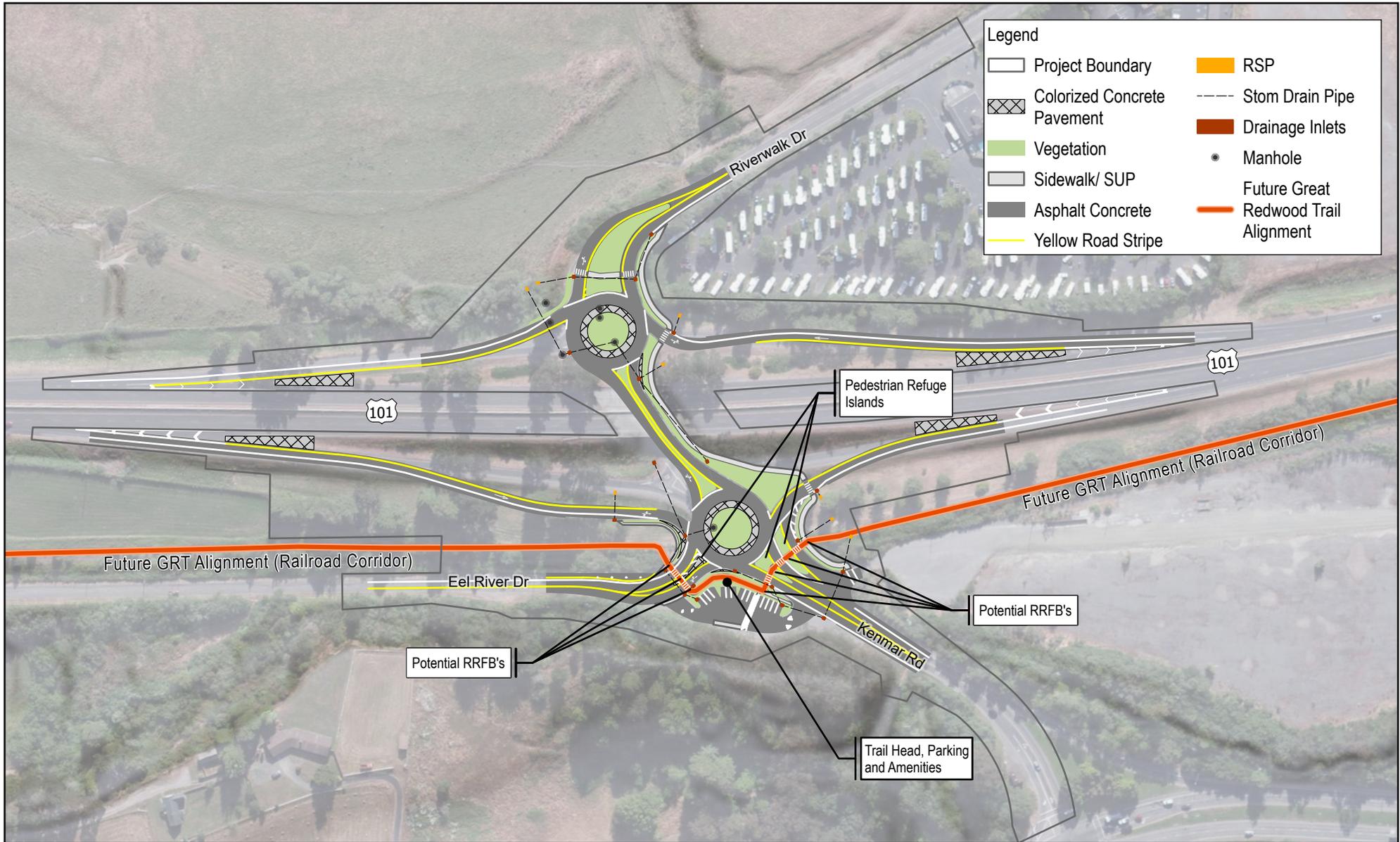
Implementation of compensatory mitigation would be limited to planting willows and other native species via hand labor only. Deep excavation beyond 24 inches would not occur, and ground disturbance would be minimal.

Section 1.12 Required Agency Approvals

The following permits and approvals are likely to be required prior to construction:

- Caltrans Encroachment Permit
- County of Humboldt Encroachment Permit

- North Coast Regional Water Board (NCRWB, or Regional Board) Clean Water Act Section 401 certification
- Construction stormwater discharge permit (National Pollutant Discharge Elimination System) from the State Water Resources Control Board
- U.S. Army Corps of Engineers (USACE) Clean Water Act Section 404 permit
- Humboldt County Coastal Development permit
- **GRTA Encroachment Permit, Engineers' Review of Design, and Use Agreement**



City of Fortuna
Kenmar Road/ US 101 Interchange

Project No. 11214735
Revision No. -
Date March 2023

GRTA
Pedestrian Connectivity

FIGURE 1

