
*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*



January 16, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approval of Resolution No. 1597-2024 Adopting the Mitigated Negative Declaration for the Eel River Trail Project (State Clearing House Number 2023110319); and Adopting the Mitigation Monitoring and Reporting Program

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve Resolution No. 1597-2024

BACKGROUND AND DISCUSSION

Andrea Hilton from GHD will be present to provide an overview and answer any questions.

The attached Resolution, if adopted, will allow for the construction of the Eel River Trail with funding from the Clean California Program. Under the California Environmental Quality Act (CEQA) the City is required to evaluate environmental impacts of the trail and circulate those impacts to the public. The materials were circulated and no comment was received. Overall the project will make a number of environmental and educational/experiential improvements, including the removal of invasive species and public information and education.

Additionally this agenda item includes the Mitigation Monitoring and Reporting Program for the project that provides some action items to further protect the environment.

Fees for the CEQA filing itself total \$2,966.75

Attachments

Resolution
Mitigated Negative Declaration (MND)
Mitigation Monitoring & Reporting Program (MMRP)
CEQA Fees

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RESOLUTION 1597-2024

A RESOLUTION OF THE CITY OF RIO DELL ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE EEL RIVER TRAIL PROJECT (STATE CLEARING HOUSE NUMBER 2023110319); AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM

THE CITY COUNCIL OF THE CITY OF RIO DELL FINDS:

- A) The proposed project has three main objectives: 1) provide safe pedestrian and non-motorized vehicle travel between Edwards Drive and Davis Street; 2) promote non-motorized transit to reduce climate-related impacts, including VMT, and improve public health; and 3) increase access and opportunities for nature study.
- B) The City has evaluated potential environmental effects of the project through the preparation and circulation of an Initial Study/Mitigated Negative Declaration ("IS/MND") incorporated herein by this reference. This process included the following actions:
 - 1) The 30-day review period for the IS/MND was initiated on November 13, 2023 with the submittal of a Notice of Intent to Adopt and IS/MND to the State Clearinghouse for public review and distribution to responsible, trustee, and public agencies with jurisdiction over the resources affected by the Project. Copies of the draft documents were available for review at the Rio Dell City Hall.
 - 2) A field tour with the California Department of Fish and Wildlife (CDFW) was conducted on December 4, 2023 and CDFW staff recommendations were incorporated into the design and Habitat Mitigation Monitoring and Reporting Plan.
 - 3) No other comments on the IS/MND were received by the City before the end of the 30-day review period on December 13, 2023.
- C) All actions required to be taken by applicable law related to the preparation, circulation, and review of the IS/MND have been taken.
- D) A Mitigated Negative Declaration has been prepared consisting of the Initial Study, all recommendations received during the public review period, and a Mitigation Monitoring and Reporting Program.
- E) City Staff, after considering the public comments received, the evidence and testimony before it, recommended that the City Council adopt the Mitigated Negative Declaration, adopt the CEQA findings, adopt the Mitigation Monitoring Reporting Program, and approve the Eel River Trail Project.
- F) The City Council held a public hearing on January 16, 2024, to consider the Mitigated Negative Declaration, and the Eel River Trail Project. The City Council, after staff analysis of the same, independently reviewed and analyzed reports and declarations which became a part of the record of this decision.
- G) The City Council made its decision to adopt the Mitigated Negative Declaration for this Project in light of the record as a whole as set forth in these findings; and,

- H) The City Council, in adopting the Mitigated Negative Declaration for this Project, of which these findings are a part, did so through the exercise of their independent judgment and review after finding substantial evidence, in light of the record as a whole, to support the adoption of the Mitigated Negative Declaration; and
- I) The City Council has made its decision to adopt the Mitigated Negative Declaration in the light of all the testimony and evidence presented at or prior to the close of the noticed public hearing, including letters, reports, comments, analyses, etc., which the Board after review and comment by its staff critically reviewed, corrected, and augmented where necessary, as set forth in the record and procedural findings on this Project.

THE CITY COUNCIL OF THE CITY OF RIO DELL:

1. CITY COUNCIL INDEPENDENT JUDGMENT AND REVIEW. The City Council hereby adopts the Mitigated Negative Declaration presented to the City Council, which reviewed and considered the information contained in said Mitigated Negative Declaration prior to deciding whether to approve the proposed Project. The Mitigated Negative Declaration has been thoroughly reviewed and analyzed by the City's Staff and the City Council. The draft documents circulated for public review reflect the City's own independent judgment and the Mitigated Negative Declaration as certified by this Resolution also reflects the independent judgment of the City Council.
2. MITIGATION MONITORING AND REPORTING PROGRAM ADOPTED. The City Council hereby adopts the Mitigation Monitoring and Reporting Program set forth in the Mitigated Negative Declaration and attached hereto as Attachment A and incorporated herein by this reference, as the mitigation monitoring and reporting program for the Eel River Trail Project. The City Council finds that the Mitigation Monitoring and Reporting Program has been prepared in accordance with CEQA and the CEQA Guidelines, and directs the General Manager to oversee the implementation of the program.
3. FILING OF NOTICE OF DETERMINATION. The City Council hereby directs the Community Development Director to file a Notice of Determination within five (5) working days after approval of the Project.
4. AVAILABILITY OF PROJECT APPROVALS. The City Manager shall make the project plans and other related materials that constitute the record of the proceedings upon which its decision is based available at City Hall, 675 Wildwood Avenue, Rio Dell, California, and in other locations the City Manager deems appropriate to facilitate public access to these documents.

ADOPTED, SIGNED AND APPROVED at a duly called meeting of the City Council of the City of Rio Dell on January 16, 2024 by the following polled vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Debra Garnes, Mayor

Attest:

Karen Dunham, City Clerk



Eel River Trail Project

**Final Initial Study / Mitigated Negative
Declaration**

SCH No. 2023110319

City of Rio Dell

December 27, 2023



Final Initial Study / Mitigated Negative Declaration Eel River Trail Project SCH No. 2023110319

Prepared for:



City of Rio Dell

675 Wildwood Avenue
Rio Dell, California 95562 USA

Prepared by:



GHD
718 Third Street
Eureka, CA 95501

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1. Purpose of the Final IS/MND

This Final Initial Study/Mitigated Negative Declaration (IS/MND) for the Eel River Trail Project consists of the Public Circulation IS/MND, comments received during public circulation, City of Rio Dell (City; Lead Agency) responses to comments, and minor revisions to the IS/MND via errata. The Public Circulation IS/MND identified the 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 an IS/MND for the Eel River Trail Project (hereafter referred to as the Project). The IS/MND was circulated for 30 days between November 13, 2023 and December 13, 2023 to allow agencies and the public the opportunity to review and comment on the document. The IS/MND was submitted to the State Clearinghouse for review by state agencies and to agencies with jurisdiction by law over resources affected by the Project.

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 the State Clearinghouse. The Notice of Intent to Adopt was filed with the Humboldt County Clerk Recorder on November 13, 2023. Pursuant to CEQA Guidelines Section 15072 (b) (1), the Notice of Intent was published in the *North Coast Journal* on November 23, 2023. The City made a hardcopy available for public review at Rio Dell City Hall at 675 Wildwood Avenue, Rio Dell, California.

As detailed in the Notice of Intent to Adopt, the Rio Dell City Council will hold a hybrid virtual and in-person meeting in City of Rio Dell Council Chambers on Tuesday, January 16th at 6:00 p.m. to consider adoption of the IS/MND and approval of the Project. Noticing and review periods required by CEQA have been satisfied. The IS/MND 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:

Kyle Knopp, City Manager
City of Rio Dell
675 Wildwood Avenue, Rio Dell, CA
Phone: (707) 764-3532
Email: knoppk@cityofriodell.ca.gov

3. Comments and Responses

During the public comment period for the IS/MND, no written comments were received. On December 4, 2023, City representatives attended a field tour with the California Department of Fish and Wildlife (CDFW)

to review the project. During the field tour, CDFW requested incorporation of wildlife proof trash cans at trail heads. The request will be considered as the design progresses. CDFW also requested incorporation of additional invasive species removal into the Project's Habitat Mitigation Monitoring and Reporting Plan (HMMP), specifically English ivy and French broom. The HMMP was updated as requested and resubmitted to CDFW.

4. Errata

The purpose of errata is to document revisions to the IS/MND that are intended to clarify Project details since it was submitted to the Office of Planning and Research State Clearinghouse. There is no errata included in this Final IS/MND.

5. Report Preparers

5.1 City of Rio Dell

Kyle Knopp, City Manager

5.2 GHD

Andrea Hilton, Senior Environmental Planner

Mitigation Monitoring and Reporting Program

City of Rio Dell – Eel River Trail Project

SCH No. 2023110319

Mitigation Measures (MM)	Implementing Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p>Air Quality</p> <p>MM AQ-1: Measures to Reduce Air Pollution</p> <p>The contractor shall implement the following BMPs during construction:</p> <ul style="list-style-type: none"> - All exposed surfaces (e.g., parking areas, staging areas, soil piles, active graded areas, excavations, and unpaved access roads) shall be watered in areas of active construction as necessary. - All haul trucks transporting soil, sand, or other loose material off-site shall be covered. - All vehicle speeds on unpaved roads shall be limited to 15 mph, unless the unpaved road surface has been treated for dust suppression with water, rock, wood chip mulch, or other dust prevention measures. - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage noting idling time requirements shall be provided for construction workers at all access points. - All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. - A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours of the complaint. The NCUAQMD's phone number shall also be visible to ensure compliance with applicable regulations. 	<p>City and City's contractor</p>	<p>Reporting actions – Verify requirements are included in final plans and specifications</p> <p>Schedule – During construction, check jobsite compliance routinely</p>	
<p>Biological Resources</p>			
<p>MM BIO-1: Avoidance and Minimization Measures to Protect Special Status Bats</p> <ul style="list-style-type: none"> - Remove confirmed or presumed-occupied bat roost habitat only during seasonal periods of bat activity (when bats are volant, i.e., able to leave roosts) 	<p>City and contractor</p>	<p>Reporting actions – Verify that phased removal measures are in final specifications; verify completion of surveys</p>	

Mitigation Measures (MM)	Implementing Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<ul style="list-style-type: none"> - between March 1 and April 15 or September 1 and October 15, when evening temps rise above approximately 45 degrees F, and when no rainfall greater than ½ inches has occurred in the last 24 hours. - If trees or structures cannot be removed during the volant period, i.e., Project activities occur during the bat maternity season which generally occurs April 16 through August 31, a qualified biologist shall conduct surveys within suitable habitat for special status bats. Survey methodology shall include visual examination with binoculars and may optionally utilize ultrasonic detectors or fecal collection for genetic testing to determine if special status bat species utilize the vicinity. - Surveys shall be conducted by a qualified biologist within seven days prior to construction in any areas where potential maternity roosts may be disturbed/removed. The preconstruction surveys for bats should occur within identified suitable areas at dusk and/or dawn. - Surveys shall include a visual inspection of the impact area and any large trees/snags with cavities or loose bark or crevices within infrastructure. If the presence of a maternity roost is confirmed, an appropriate buffer distance would be established in consultation with the CDFW to ensure that construction noise would remain below disturbance thresholds for bats. If no bat utilization or roosts are found, then no further study or action is required. If bats are found to utilize the BSA, or presence is assumed, a bat specialist should be engaged to advise the best method to prevent impact. - No work shall occur at night. 		Schedule – Pre-construction and during construction	
<p>MM BIO-2: Avoidance and Minimization Measures to Protect Special Status, Migratory and Nesting Birds</p> <ul style="list-style-type: none"> - Ground disturbance and vegetation clearing shall be conducted, where feasible, during the fall and/or winter months and outside of the avian nesting season (which is generally assumed to occur between March 15 – August 15) to avoid any direct effects to special-status and protected birds. Ground disturbance and vegetation clearing that cannot be confined to the fall and/or winter outside of the nesting season, shall require that a qualified biologist conduct pre-construction surveys within the vicinity of the BSA, 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 seven-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 nesting season, a qualified biologist 	City, City's biologist, and contractor	Reporting actions – Verify that protection measures are in final specifications; verify completion and documentation of surveys, if necessary Schedule – Pre-construction and during construction	

Mitigation Measures (MM)	Implementing Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p>shall conduct a supplemental avian pre-construction survey before Project work is reinitiated.</p> <ul style="list-style-type: none"> - To account for the potential for the Bank Swallow to occur within the BSA, the qualified biologist shall additionally and specifically search for Bank Swallow nests within the BSA during the pre-construction survey. The survey shall also include raptor scans due to the potential for the Bald Eagle and other special status raptors to occur. - If active special-status species nests are detected within the construction footprint, or within 500 feet of construction activities, 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 500 feet of the construction area, buffers shall be implemented as needed. In general, the buffer size for non-special-status species will be determined on a case-by-case basis in consultation with the CDFW and, if applicable, with USFWS. Buffer sizes shall 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) 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. - 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. 			

Mitigation Measures (MM)	Implementing Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p>MM BIO-3: Avoidance and Minimization Measures to Protect Northern Spotted Owl</p> <ul style="list-style-type: none"> - Any above-ambient background noise producing work using heavy equipment, trucks or chainsaws shall occur only during daytime hours between sunrise to sunset during the NSO Coast Redwood Region breeding season (February 1 – July 31). - No work shall occur during the night. 	<p>City, City's biologist, and contractor</p>	<p>Reporting actions – Verify that protection measures are in final specifications; verify completion and documentation of surveys, if necessary Schedule – Pre-construction and during construction</p>	
<p>MM BIO-4: Protect Special Status Amphibian and Reptiles Species</p> <ul style="list-style-type: none"> - All on-site personnel shall attend a Worker Environmental Awareness Training (WEAT) conducted by a qualified biologist that includes a discussion about the legal protection of protected resources and avoidance and minimization measures to be implemented during Project activities. - A pre-construction survey for Northern Red-legged Frog, Foothill Yellow-legged Frog, and Western Pond Turtle shall occur within seven days of Project-related ground disturbance within areas of suitable habitat within the BSA. The biologist shall relocate any individuals that occur within this area to nearby suitable habitat outside of the Project work zone. - If special status amphibian or reptile species are observed during pre-construction surveys, or the biologist assumes presence based on habitat conditions, a biological monitor shall be present for all work activities occurring within suitable habitat that may impact these species. If these species are encountered during construction, activities in the vicinity shall cease until appropriate corrective measures have been implemented or it has been determined by the biologist that the species will not be harmed. The biologist may employ stop work authority until the individual (s) have left the vicinity, or may relocate individuals to an appropriate habitat adjacent to the work area. Any special status individuals that are trapped, injured, or killed, shall be reported immediately to CDFW. - In the event that a Northern Red-legged Frog is observed in an active construction zone, the contractor shall halt construction activities in the area and contact the biological monitor. If the frog moves out of the construction zone on its own before the biological monitor relocates it, the biological monitor may authorize work to continue. 	<p>City, City's biologist, and contractor</p>	<p>Reporting actions – Verify that protection measures are in final specifications; verify completion and documentation of surveys, if necessary</p>	
<p>MM BIO-5: Avoidance and Minimization Measures to Protect Special Status Bees</p> <ul style="list-style-type: none"> - Vegetation shall be cleared if feasible during late fall to early spring months (October to April) to avoid peak flight season, minimize impacts to floral 	<p>City, City's biologist, and contractor</p>	<p>Reporting actions – Verify that protection measures are in final specifications; verify completion and documentation of surveys, if necessary</p>	

Mitigation Measures (MM)	Implementing Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p>resources, and reduce the potential for floral resources to draw bumble bees into the Project Area.</p> <ul style="list-style-type: none"> - If feasible, ground-disturbing activities in areas with suitable Obscure Bumble Bee habitat shall be completed prior to May. - If ground-disturbing activities in areas with suitable habitat for the Obscure Bumble Bee occur after May 1, a qualified biologist shall scout the area for Western Bumble Bee immediately prior to the initial ground disturbance, with particular attention to floral resources and nest sites. The qualified biologist shall use non-capture photography surveys. If feasible, based on the Rusty Patched Bumble Bee survey guidelines, species will not be physically handled. - CDFW will be immediately notified of any Obscure Bumble Bee sightings by the qualified biologist. If a colony is identified, disturbance near the colony shall pause until suitable avoidance measures can be determined in coordination with CDFW. If an individual is identified, work shall pause until the individual leaves the area of disturbance. - If possible, the Project shall not use pesticides. If necessary, the application shall be direct and as local as possible to reduce drifting. The pesticide shall ideally be applied when plants are not in bloom, in winter or fall, and/or at dusk or night when bees are not flying. 		<p>Schedule – Pre-construction and during construction</p>	
<p>MM BIO-6: Compensate for Loss of SNCS and Riparian Vegetation</p> <p>Construction within mapped Sensitive Natural Communities and riparian vegetation shall be avoided to the greatest extent practicable. If impacts are unavoidable, 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 mitigation shall be prioritized. If suitable locations for onsite mitigation are not sufficiently available, offsite mitigation shall occur.</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>	<p>City, City's biologist, and contractor</p>	<p>Reporting actions – Verify that protection measures are in final specifications; verify completion and documentation of surveys, if necessary</p> <p>Schedule – Pre-construction and during construction</p>	

Mitigation Measures (MM)	Implementing Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p>MM BIO-7: Avoidance and Minimization Measures to Protect Streamside Management Areas</p> <p>Per City Code 17.30.080 (4), mitigation measures for development within Streamside Management Areas shall, at a minimum, include:</p> <ul style="list-style-type: none"> - Retaining snags unless felling is required by CAL-OSHA, or by California Department of Forestry (CALFIRE) forest and fire protection regulations, or for public health and safety reasons, approved by the appropriate agency. Felled snags shall be left on the ground if consistent with fire protection regulations as long as they have no economic value. - Retain live trees with visible evidence of use as nesting sites by hawks, owls, eagles, osprey, herons, or egrets. - Replanting of disturbed areas with riparian vegetation (including such species as alders, cottonwoods, willows, Sitka spruce, etc.) shall not be required unless natural regeneration does not occur within two years of the completion of the development project. - Erosion control measures for development within Streamside Management Areas shall include the following: <ul style="list-style-type: none"> o During construction, land clearing and vegetation removal shall be minimized. o Construction sites shall be mulched with natural or chemical stabilizers to aid in erosion control and insure re-vegetation. o Long slopes shall be minimized to increase infiltration and reduce water velocities down cut slopes by such techniques as soil roughing, serrated cuts, selective grading, shaping, benching, and berm construction. o Concentrated runoff shall be controlled by the construction and continued maintenance of culverts, conduits, non-erodible channels, diversion dikes, interceptor ditches, slope drains or appropriate mechanisms. Concentrated runoff will be carried to the nearest drainage course. Energy dissipaters may be installed to prevent erosion at the point of discharge where discharge is to natural ground or channels. o Runoff shall be controlled to prevent erosion by on-site or off-site methods. On-site methods include, but are not limited to, the use of infiltration basins, percolation pits, or trenches. On-site methods are not suitable where high groundwater or slope stability problems would inhibit or be aggravated by on-site retention or where retention will provide no benefits for groundwater recharge or erosion control. 	<p>City, City's biologist, and contractor</p>	<p>Reporting actions – Verify that protection measures are in final specifications; verify completion and documentation Schedule – Pre-construction and during construction</p>	

Mitigation Measures (MM)	Implementing Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
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Cultural Resources

MM CR-1 Inadvertent Discovery of Archaeological Material

<p>A pre-construction meeting shall be held with field contractors, where the protocols for inadvertent discovery (described below) would be communicated. The following provides means of responding to the circumstance of a significant discovery implementation of the proposed undertaking. 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 50 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, City's archaeologist, and contractor, Tribal Cultural Resource Monitor</p>	<p>Reporting actions – Verify inclusion of inadvertent discovery requirements in final plans and specifications; verify completion of DPR 523 forms, if necessary; verify completion of noticing as detailed in MM CR-1 upon inadvertent discovery and development of treatment plan as necessary Schedule – Pre-construction and during construction</p>	
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MM CR-2: Inadvertent Discovery of Human Remains

<ul style="list-style-type: none"> - All work shall stop and per CA Health and Safety Code Section 7050.5: - Call the Humboldt County Coroner: (707) 445-7242. - The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American, then: <ul style="list-style-type: none"> - The Humboldt County Coroner will contact the Native American Heritage Commission within 24 hours. - The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendant (MLD) immediately and providing contact information. Within 48 hours the MLD may contact the landowner, and with landowner permission inspect the location, making subsequent recommendations regarding the most appropriate disposition of their descendant. 	<p>City, City's archaeologist, and contractor.</p>	<p>Reporting actions – Verify inclusion of inadvertent discovery requirements in final plans and specifications Schedule –During construction</p>	
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Geology and Soils

MM GEO-1: Inadvertent Discovery of Paleontological Resources

<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</p>	<p>City and City's contractor</p>	<p>Reporting actions – Verify inclusion of inadvertent discovery requirements in final plans and specifications Schedule –During construction</p>	
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Mitigation Measures (MM)	Implementing Responsibility	Monitoring/Reporting Action & Schedule	Verification (Initials/Date)
<p>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 shall be properly curated and preserved</p>			

County of Humboldt
Office of the County Clerk-Recorder



825 5th Street, 5th Floor, Eureka Ca 95501
(707)445-7593 or Toll Free (888)486-2732

2024 CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Rio Dell
2. PROJECT TITLE: Eel River Trail Project
3. APPLICANT NAME: City of Rio Dell PHONE: 707-764-3532
4. APPLICANT EMAIL: : kknopp@riodelcity.com
5. APPLICANT ADDRESS: 675 Wildwood Avenue, Rio Dell, CA 95562
6. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

<input type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152)	\$ 4,051.25	\$ <u>0.00</u>
<input checked="" type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C))	\$ 2,916.75	\$ <u>2,916.75</u>
<input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 850.00	\$ <u>0.00</u>
<input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u>	\$ 1,377.25	\$ <u>0.00</u>
<input checked="" type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e)	\$ 50.00	\$ <u>50.00</u>

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

<input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)	\$ 50.00	\$ <u>0.00</u>
<input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)		
DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION	\$ 50.00	\$ <u>0.00</u>

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

<input type="checkbox"/> NOTICE OF PREPARATION <input type="checkbox"/> NOTICE OF INTENT	NO FEE	\$ <u>NO FEE</u>
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8. OTHER: _____ FEE (IF APPLICABLE): \$ _____
9. TOTAL RECEIVED..... \$ 2,966.75

*NOTE: "**SAME PROJECT**" MEANS **NO** CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE **SUBSEQUENT** FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND (1) COPY. IF THERE ARE ATTACHMENTS, PLEASE PROVIDE ONE SET OF ATTACHMENTS FOR SUBMISSION.

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: Humboldt County Clerk Recorder

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

(Fees Effective 01-01-2024)

Notice of Determination

Appendix D

To:

Office of Planning and Research
U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113
Sacramento, CA 95814

County Clerk
County of: Humboldt County
Address: 825 th Street, 5th Floor
Eureka, CA 95501

From:

Public Agency: City of Rio Dell
Address: 675 Wildwood Avenue
Rio Dell, CA 95562
Contact: Kyle Knopp, City Manager
Phone: 707-764-3532

Lead Agency (if different from above):
Address:
Contact: kknopp@riodellcity.com
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2023110319

Project Title: Eel River Trail Project

Project Applicant: City of Rio Dell

Project Location (include county): Rio Dell, Humboldt County

Project Description:

The project would construct approximately 1,600 feet of Class I shared use path (pedestrian, bicycle) with associated trailhead improvements. The project would provide a safe walking and biking route from Edwards Drive to Davis Street and provide opportunities for nature study and recreation. The trail would be an asphalt-concrete, with a ten-foot wide paved trail with two-foot gravel shoulders on each side. The trail may be narrowed to 8-foot minimum paved width in limited locations.

This is to advise that the Eel River Trail Project has approved the above (Lead Agency or Responsible Agency)

described project on January 16, 2024 and has made the following determinations regarding the above described project.

- 1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

City of Rio Dell City Hall at 675 Wildwood Avenue, Rio Dell, CA 95562

Signature (Public Agency): Title: City Manager

Date: January 16, 2023 Date Received for filing at OPR: