

# Arcata Rail-with-Trail Connectivity Project: Humboldt Bay Trail North Construction

## Mitigation Monitoring and Reporting Program *California State Coastal Conservancy*

### 1.0 INTRODUCTION

This Mitigation Monitoring and Reporting Program (the Program) was developed for the Arcata Rail-with-Trail Connectivity Project (the Project) for consideration and possible approval by the State Coastal Conservancy (Conservancy) on September 29, 2016, pursuant to Public Resources Code Section 21081.6, the California Environmental Quality Act (CEQA) and 14 California Code of Regulations (CCR or CEQA Guidelines) Section 15097. As a responsible agency, the Conservancy will consider approval of funding to construct a 3-mile Class 1, ADA-accessible multi-use recreation trail that is a portion of the larger Project (the proposed project) and findings pursuant to CCR Section 15097 on the Project's Mitigated Negative Declaration (MND) adopted by the City of Arcata (the City) in May 2013 and its August 2016 Addendum.

The Program will be implemented by the City as a condition of Conservancy funding approval of the proposed project. The Program can be implemented by the City because the Project will be constructed on public property owned or managed by the City, the North Coast Railroad Authority, the County of Humboldt and the US Fish and Wildlife Service.

The City's MND outlines mitigation measures for potential adverse effects that may result from the proposed project. The Conservancy has prepared this Program for implementation of the mitigation measures and reporting requirements associated with the proposed project.

Below are the mitigation measures for the proposed project that address potential significant impacts to aesthetic, biological, and cultural resources and potential exposure to hazardous materials.

### **Mitigation Measures**

#### **Aesthetics**

With regard to **aesthetics**, the proposed project may have an adverse effect on scenic resources due to removal of trees, shrubs, and riparian vegetation along some trail segments in the Arcata Marsh and along South G Street. Furthermore, the removal of trees may adversely affect the existing visual character in these same areas. These potential impacts to aesthetics will be mitigated to a level of insignificance by implementing the following mitigation measure (Aesthetics-1).

- Soils and slopes exposed due to project-related earthwork shall be re-vegetated with native ground cover, understory species, and trees. Removed trees shall be replaced with native species on a 1:1 basis along the trail, where possible, and along nearby Janes Creek riparian areas currently lacking riparian-cover to offset to offset tree removal.

### **Biological Resources**

With regard to **biological resources**, the proposed project may have possible adverse impacts on fish, plants, birds, wetlands and riparian habitat from trail construction, materials and equipment staging, and heavy equipment ingress/egress to construction and staging areas.

Fish species such as tidewater goby, southern Oregon/northern California Coho salmon, California coastal Chinook salmon and coastal cutthroat trout are known to inhabit the tributaries in Arcata and Humboldt Bay. The brackish to saltwater areas of Butcher's Slough, Gannon Slough and tidally influenced lower portion of Jacoby Creek are considered potential habitat for several special status fish species (See Exhibit 6, MND pp. 20-21 for list). Direct impacts to the creek and slough habitat in the project area would occur due to pile installation and bridge footings into the active channels and/or below the high tide line at Butcher's Slough and Old Jacoby Creek, and from temporary dewatering of Gannon Slough during installation. These potential impacts to fish species will be mitigated to a level of insignificance by implementing the following mitigation measure (Biological-1).

- Pile, bridge footing, and other ground disturbing construction activities within the channels and/or below the HTLs of Butcher's Slough, Gannon Slough, and Old Jacoby Creek shall:
  - (a) Include implementing minimization and avoidance measures, such as isolating pile installations, bridge footing installations, and other ground disturbing activities within the channel or below the HTL from flowing water;
  - (b) Include implementing Best Management Practices to avoid sedimentation and polluted runoff from draining to the creeks and sloughs from the construction sites;
  - (c) Restricted to the non-spawning seasons for the sensitive fish species that occur within these creeks and sloughs; and
  - (d) Include any other measures required by, or developed in consultation with, NOAA Fisheries, FWS, COE and DFW during the requisite 404, 1603 or other permitting, to avoid impacts to sensitive fish species.

Plants that potentially utilize estuarine intertidal emergent wetlands, such as those mapped in the project area include the Humboldt Bay owl's clover, Point Reyes bird's beak, Lyngbye's sedge, and sand spurrey. A survey for Humboldt Bay owl's clover and Lyngbye's sedge found approximately 0.71 acres and 0.16 acres of each, respectively. Less than 0.01 acres of Humboldt Bay owl's clover would be temporarily impacted during trail construction, and no acreage of the plant would be permanently impacted

from the proposed project. There would be no temporary or permanent impacts to Lyngby's sedge. Point Reyes bird's beak and Sand spurrey are assumed to be present within the trail corridor, and thus may be potentially impacted during construction. These potential impacts to plant species will be mitigated to a level of insignificance by implementing the following mitigation measure (Biological-2):

- All efforts shall be made to avoid Humboldt Bay Owl's clover, Point Reyes bird's beak and Sand spurrey during trail construction. Efforts will be made to schedule construction for times when these plants are dormant or have dropped their seed. Should construction occur during times when these plants will be present, the area will be surveyed and any individual Humboldt Bay Owl's clover, Point Reyes bird's beak and Sand spurrey plant will be flagged for avoidance. If construction will impact any Humboldt Bay Owl's clover, Point Reyes bird's-beak and Sand spurrey plants, these plants shall be replaced on a 1:1 basis at sites adjacent to the trail corridor or in the proposed mitigation areas determined to be suitable by a qualified botanist.

Migratory waterfowl and shore birds may utilize the slough habitat within the proposed project area for resting and feeding. Project construction activities could generate temporary noise, dust, vibration, and light that could have adverse impact to avian species seeking rest and forage. These potential impacts to avian species will be mitigated to a level of insignificance by implementing the following mitigation measure (Biological-3):

- The City of Arcata shall have pre-construction surveys conducted by a qualified biologist for sensitive migratory waterfowl and shorebird species in the sloughs to be crossed by the proposed trail. If the survey finds these species to be nesting within the vicinity of the proposed trail: (1) construction shall be delayed until the end of the nesting season of these species; or (2) a 150-foot wide buffer within which no construction activities may occur shall be established around occupied nest until the young have fledged.

Wetlands and riparian habitat within the proposed project area potentially could be impacted from trail construction and equipment staging.

The proposed project would result in impacts to palustrine emergent wetlands, estuarine intertidal emergent (saltmarsh) wetlands, and estuarine emergent (ditch) wetlands. Permanent loss of 1.78 acres of wetlands will result from installation of the Arcata Marsh Berm Bridge connecting the NCRA ROW with the berm trail in the Arcata Marsh, and from permanent shading caused by installation of other bridges over Jolly Giant Creek, Butcher's Slough, Gannon Slough, and Old Jacoby Creek. The proposed project will have temporary impacts to staging areas and ingress/egress routes within the construction area. These potential permanent and temporary impacts to wetlands will be mitigated to a level of insignificance by implementing the following mitigation measure (Biological-4) (Please note that the MND mitigation ratios are reduced in the Addendum to the MND, described above):

- The City of Arcata shall prepare and implement a Wetland Mitigation and Monitoring Plan to replace impacted wetlands. The plan shall be designed to meet applicable regulatory agency (USFWS, Army Corps of Engineers (COE) and California Department of Fish and Wildlife (CDFW)) requirements. At a minimum, the plan shall replace the acreage of jurisdictional wetlands to be

permanently impacted by the proposed trail, as set forth in Table 1 of the MND (Exhibit 6, MND, p. 19), with the creation of comparable on-site wetlands on a 1:1 basis, include an estuarine wetland enhancement component of 2:1 for impacted acres of wetlands, include a revegetation plan that reflects the native plant species within the wetland types to be mitigated, and include maintenance of the wetlands for a minimum of 5 years, including the replanting of any dead or dying plants within the new wetlands.

Wetland mitigation activities (creation and enhancement) may potentially impact certain resources including biological and cultural resources, and potential exposure to hazardous materials from soil disturbance including digging and grading. As such, the following mitigation measures shall be implemented to reduce potential impacts to biological and cultural resources during wetland mitigation to a level of insignificance (Biological-5, immediately below, and Cultural-3 and -4, and Hazards-4, described in the respective sections below):

- The City of Arcata shall have pre-construction surveys conducted by a qualified biologist for sensitive plant and animal species on and within the vicinity of the proposed on-site wetland mitigation sites. If the surveys find sensitive species, the City shall: (1) implement all the recommendations made by the biologist to avoid significant impacts to these species; and (2) conduct any consultations with, and obtain any permits that may be required from, applicable regulatory agencies (e.g., USFWS, CDFW, etc.).

Riparian habitat will be impacted by removal of trees along trail segments in the Arcata Marsh and along South G Street. These impacts to riparian habitat will be mitigated to a level of insignificance by implementing the following mitigation measure (Aesthetics-1):

- Removed trees shall be replaced with native species on a 1:1 basis along the trail, where possible, and along nearby Janes Creek riparian areas currently lacking riparian-cover to offset tree removal.

### **Cultural Resources**

With regard to **cultural resources**, potential impacts to archaeological resources have been identified and include a potential adverse change to the significance of archaeological resource.

The proposed project alignment runs from Highway 255 then south adjacent to the NCRA ROW to the Arcata Marsh. Within the Arcata Marsh, the proposed trail alignment is located predominantly on existing Marsh trails. Once crossing Butcher's Slough at the Arcata Wastewater Treatment Plant (WWTP), the trail alignment leaves the Marsh and continues parallel to the railroad tracks adjacent to South G Street. The trail continues south beyond the Arcata City Limits parallel to the railroad tracks between Highway 101 and Humboldt Bay. Based on the above, the proposed trail alignment travels through previously disturbed lands.

An archaeological records search at the North Coast Information Center (NCIC) was conducted as part of the cultural resources investigation by Roscoe & Associates

(Appendix E to the MND is confidential information and is not included in Exhibit 6). According to the records search, the trail alignment does not intersect known archaeological sites. However, there are six previously recorded archaeological sites within 0.5 miles, including two sites within 0.25 miles, of the project area. Proposed alignments through property that is already disturbed (i.e. railroad prism, substantially developed parcels) have less of a potential of impacting cultural resources than alignments through property that has not been previously disturbed. As indicated above, most of the proposed trail segments are either directly adjacent to the NCRA ROW or transect previously developed areas. No new archaeological sites were found or identified during the cultural resources study (Roscoe & Associates, 2010). However, there would still be a potential to unearth archaeological resources, paleontological resources, and/or human remains during trail construction. The potential impacts to cultural resources related to trail construction will be mitigated to a level of insignificance by implementing the following mitigation measures (Cultural-1 and -2).

- Earthmoving and excavation activities will be monitored for presence of archaeological or paleontological artifacts and immediately stopped if such activities uncover suspected cultural resources; any suspected cultural resources sites will be inspected by a qualified archaeologist, and any reporting/curation/preservation recommendations made by the archaeologist will be implemented. Also, if human remains are uncovered, the City of Arcata and the appropriate Native American representative will be notified immediately, and the remains will be treated in accordance with all applicable federal, state, local and tribal requirements.
- If human remains are uncovered during trail construction activities, construction activities in the immediate vicinity of the remains shall be halted, the City of Arcata Planning Department, Humboldt County Coroner, Native American Heritage Commission (NAHC), and the relevant Native American representative(s) shall be notified, and the remains shall be treated in accordance with NAHC treatment and disposition requirements.

Wetland mitigation activities (creation and enhancement) may potentially impact cultural resources from soil disturbance including digging and grading. Prior to developing the mitigation wetlands a North West Information Center (NWIC) records search and reconnaissance (e.g., surface) level archaeological/paleontological field survey will be conducted by a qualified archaeologist of the mitigation wetlands to prevent potential impacts to any cultural resources that may be present. The potential impacts to cultural resources related to creation or enhance of wetlands thus will be mitigated to a level of insignificance by implementing the following mitigation measures (Cultural-3 and -4).

- The City of Arcata shall have an NWIC records search and reconnaissance (e.g., surface) level archaeological/paleontological field survey conducted by a qualified archaeologist of the mitigation wetlands sites prior to development of the wetlands. If the records search indicates that archaeological resources have been previously recorded at the mitigation wetland sites, or if archaeological or paleontological resources are found on the mitigation wetland sites during the field survey and determined by the archaeologist to be “significant” or “unique”

as defined by CEQA, required mitigation shall be identified by the consultant and implemented by the City prior to construction (including, potentially, subsurface investigations).

- Implement Mitigations Cultural-1 and -2 at the mitigation wetlands sites.

**Standard Operating Procedures**

Specifically, in addition to the above, the following standard operating procedures (SOPs) for **handling “post-review” or inadvertent archaeological discoveries** shall be adopted for all phases and aspects of work carried out by or for the City of Arcata’s Rail with Trail Connectivity Project.

These SOPs shall apply to the City of Arcata, its employees, officers and agents, including contractors whose activities may potentially expose and impact significant or sensitive resources.

The intent is to avoid or minimize direct or indirect impacts to significant archaeological or Native American discoveries that may qualify for inclusion in the California Register of Historical Resources and/or the National Register of Historic Places.

**City Responsible for Retaining Services of As-Needed Professional Archaeologist**

The City of Arcata shall be responsible for retaining as-needed services of a qualified Archaeologist, meaning the individual meets the Secretary of the Interior’s Professional Standards for an Archaeological Principal Investigator and/or is listed as Registered Professional Archaeologist (see website at [www.rpanet.org](http://www.rpanet.org)). The professional will provide services as needed to conduct rapid assessments of potentially significant archaeological finds discovered during the Project implementation.

**Designated Points of Contact (POC) for Notification of Discoveries**

The City of Arcata, its construction contractor(s), California Coastal Conservancy, and Caltrans shall each designate a representative who shall act as its official Point of Contact (POC) and who shall be notified immediately upon the inadvertent discovery of an archaeological find or the inadvertent discovery of Native American remains and /or grave goods during Project implementation (below).

<b>Agency</b>	<b>Point of Contact Name, Title</b>	<b>Phone #</b>
City of Arcata – Lead	Emily Benvie, Environmental Programs Manager	(707) 825-2102
	Netra Khatri, Assistant City Engineer	Cell (707) 267-4287
Construction Contractor	TO BE DETERMINED	PHONE
Caltrans, District 1	Timothy Keefe, Archaeologist	(707) 382-1508
Coastal Conservancy	Su Corbaley, Project Manager	(707) 286-6767

The Wiyot Tribe, the Blue Lake Rancheria, and the Bear River Band of Rohnerville Rancheria each have citizens that recognize Wiyot ancestry. Each of the tribe’s appointed Tribal Historic Preservation Officer (THPO) is designated as the POC (below)

and shall be immediately notified by the City of Arcata POC should a Native American archaeological site (with or without Native American human remains) be inadvertently discovered during Project implementation.

**Designated Tribal Points-of-Contact (as of 8/16/2016)**

<b>Tribe</b>	<b>Address</b>	<b>Office Telephone</b>	<b>Cultural Staff*</b>
Wiyot Tribe	P.O. Box 509 Loleta, CA 95551	(707) 733-5055 Fax 733-5601 Cell (406) 850-2220	Tom Torma, THPO
Blue Lake Rancheria	P.O. Box 428 Blue Lake, CA 95525	(707) 668-5101 x1037 Fax 688-4272 Cell (530) 623-0663	Janet Eidsness, THPO
Bear River Band of Rohnerville Rancheria	27 Bear River Drive Loleta, CA 95551	(707) 733-1900 x233 Fax 733-1972 Cell (707) 502-5233	Erika Cooper, THPO

Interested Tribal Representatives shall be invited to inspect a Native American discovery site and meet with the City of Arcata’s delegated POCs and its Consulting Professional Archaeologist, as appropriate, to make a rapid assessment of the potential significance of a find and participate in the development and implementation of a Treatment Plan, as appropriate.

Note: In the event that Native American skeletal remains are discovered, State law specifies that the “Most Likely Descendent (MLD)” appointed by the NAHC has the authority to make recommendations for the final treatment and disposition of said remains and associated grave goods – see below.

**A. SOP for Inadvertent Archaeological Discovery (General)**

1. Ground-disturbing activities shall be immediately stopped if potentially significant historic or archaeological materials are discovered. Examples include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, groundstone mortars and pestles), culturally altered ash-stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials, and historic structure remains such as stone-lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the discovery locale.
2. An “exclusion zone” where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the Contractor Foreman or authorized representative, or party who made the discovery and initiated these SOP.
3. The discovery locale shall be secured (e.g., 24-hour surveillance) as directed by the City of Arcata if considered prudent to avoid further disturbances.

4. The Contractor Foreman or authorized representative, or party who made the discovery and initiated these SOP, shall be responsible for immediately contacting by telephone the parties listed below to report the find:
  - (a) the City of Arcata's authorized POC and
  - (b) the Contractor's authorized POC.
5. Upon learning about a discovery, the City of Arcata POC shall be responsible for immediately contacting by telephone the POCs listed below to initiate the consultation process for its treatment and disposition:
  - (a) THPOs with Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and Wiyot Tribe;
  - (b) Department of Fish & Game, as appropriate; and
  - (c) Caltrans, if discovery within its jurisdiction or right-of-way.

AND in cases where a known or suspected Native American burial or human remains are uncovered, the SOPs under paragraph B shall also be followed and the following contacts shall be notified immediately:

  - (d) the Humboldt County Coroner (707-445-7242).
6. Ground-disturbing project work at the find locality shall be suspended temporarily while City of Arcata, its consulting Archaeologist, the three THPOs, and others as interested parties consult about appropriate treatment and disposition of the find. Ideally, a Treatment Plan may be decided within three working days of discovery notification. Where the project can be modified to avoid disturbing the find (e.g., through project redesign), this may be the preferred option. Should Native American remains be encountered, the provisions of State laws shall apply (see below). The Treatment Plan shall reference appropriate laws and include provisions for analyses, reporting, and final disposition of data recovery documentation and any collected artifacts or other archaeological constituents. Ideally, the field phase of the Treatment Plan may be accomplished within five (5) days after its approval; however, circumstances may require longer periods for data recovery.
7. The City's officers, employees and agents, including Contractors, shall be obligated to protect significant cultural resource discoveries and may be subject to prosecution if applicable State or Federal laws are violated. In no event shall unauthorized persons collect artifacts.
8. Any and all inadvertent discoveries shall be considered strictly confidential, with information about their location and nature being disclosed only to those with a need to know. The City of Arcata's authorized representative shall be responsible for coordinating with any requests by or contacts to the media about a discovery.
9. SOPs shall be communicated to City's field work force including its Contractors, employees, officers or agents, and such communications may be made through weekly tailgate safety briefings.
10. Ground-disturbing work at a discovery locale may not be resumed until authorized by the City of Arcata.

## **B. SOP for Inadvertent Discovery of Native American Remains and Grave Goods**

The following policies and procedures for treatment and disposition of inadvertently discovered Native American remains shall apply.

- 1.If human remains are encountered, they shall be treated with dignity and respect as due to them. Discovery of Native American remains is a very sensitive issue and serious concern of affiliated Native Americans. Information about such a discovery shall be held in confidence by all project personnel on a need-to-know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld.
- 2.Violators of Section 7050.5 of the California Health and Safety Code may be subject to prosecution to the full extent of applicable law (felony offense).
- 3.In the event that known or suspected Native American remains are encountered, the above procedures of SOP paragraph A for Inadvertent Archaeological Discovery (General) shall be followed (including notifications to those identified in A 4 (a-e)), in addition to the provisions of California law (Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the California Public Resources Code), as follows.
- 4.The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American, the Coroner has 24 hours to notify the NAHC (916-653-4082).
- 5.The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD) of the deceased Native American. (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)
- 6.Within 48 hours of their notification by the NAHC, the MLD will be granted permission by the property owner of the discovery locale to inspect the discovery site if they so choose.
- 7.Within 48 hours of their notification by the NAHC, the MLD may recommend to the City of Arcata's POC the means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses (if any) recommended by the MLD may be considered and carried out.
- 8.Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the property owner rejects the recommendation of the MLD and mediation between the parties by NAHC fails to provide measures acceptable to the property owner, he/she shall cause the re-burial of the human remains and associated grave offerings with appropriate dignity on the property in a location not subject to further subsurface disturbance.

### **C. SOP for Documenting Inadvertent Archaeological Discoveries**

1. The Contractor Foreman or authorized representative, or party who made the discovery and initiated these SOP, shall make written notes available to the City of Arcata describing: the circumstances, date, time, location and nature of the discovery; date and time each POC was informed about the discovery; and when and how security measures were implemented.
2. The City of Arcata POC shall prepare or authorize the preparation of a summary report which shall include: the time and nature of the discovery; who and when parties were notified; outcome of consultations with appropriate agencies and Native American representatives; how, when and by whom the approved Treatment Plan was carried out; and final disposition of any collected archaeological specimens.
3. The Contractor Foreman or authorized representative shall record how the discovery downtime affected the immediate and near-term contracted work schedule, for purposes of negotiating contract changes where applicable.
4. If applicable, Monitoring Archaeologists and Native American Representatives shall maintain daily field notes.
5. Treatment Plans and corresponding Data Recovery Reports shall be authored by professionals who meet the Federal criteria for Principal Investigator Archaeologist and reference the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-44737).
6. Final disposition of all collected archaeological materials shall be documented in the final Data Recovery Report and its disposition decided in consultation with Tribal representatives.
7. Final Data Recovery Reports along with updated confidential, standard California site record forms (DPR 523 series) shall be filed at the Northwest Information Center (NWIC) of the California Historical Resources Information System and the City of Arcata, with report copies provided to the interested Tribes.
8. Confidential information concerning the discovery location, treatment and final disposition of Native American remains shall be forwarded to the Sacred Sites Inventory maintained by the NAHC.

### **Hazards and Hazardous Materials**

With regard to **hazards and hazardous materials**, potential impacts to the environment or people could occur from exposure to subsurface hazardous materials, substances or waste that may be encountered during earth moving activities associated with trail construction.

Portions of the trail would occur within the NCRA ROW which may contain contaminants often found along rail lines (e.g., heavy metals, hydrocarbons, chlorinated compounds, pesticides, and PCBs). The proposed trail corridor is characterized by several

uses, including the NCRA's North West Pacific rail line, City of Arcata surface streets (South G Street) and shoulders, existing trails within the Arcata Marsh & Wildlife Sanctuary, and the tops of several levees. The trail would bisect or occur within the vicinity of areas where industrial or waste uses have historically occurred, including industrial operations near and south of Highway 255 and a former trash dump site within Arcata Marsh. The City prepared a Phase I Environmental Site Assessment (ESA) for the proposed project. The ESA includes a hazardous materials records search conducted by Environmental Data Resources, Inc. (EDR) which lists recorded hazardous materials/waste sites within specified search radii of the trail corridor, file reviews for those listed sites thought to have a potential to be impacted by the proposed trail, a hazardous materials field reconnaissance of the trail corridor conducted by Winzler & Kelly (W&K), and an interpretation of findings prepared by W&K. The ESA for the ARWTP, including the proposed project, is in Appendix F of the MND (See Exhibit 6). This discussion relates only to the HBTN, from Highway 255 south to north of Brainard's Slough.

No hazardous materials storage drums or tanks, and no visual evidence of soil contamination, was noted during the field survey of the trail corridor. However, the EDR records search identified one recorded hazardous materials/waste site within 1/8th mile of the proposed project, located south of Highway 255 (Exhibit 6, MND, Appendix F, Figure 3-10). This site poses an undetermined risk of underground leaks that may be encountered during trail construction. Furthermore, historic railroad operations likely included the use of hazardous materials listed above, and may have contaminated the railroad ROW where the trail will be located. Therefore, there exists the potential for impacts for environment or human exposure from earthmoving activities during trail construction if subsurface contamination is present near the industrial site located in the EDR search or along the ROW. The potential impacts from hazards and hazardous materials will be mitigated to a level of insignificance by implementing the following mitigation measures (Hazards-1, -2, and -3):

- Pre-construction soil borings shall be conducted to characterize the soil and groundwater adjacent to the NCRA ROW where the alignment follows the RR track. Laboratory analytical results of samples collected from these borings shall be utilized to ascertain whether health and safety concerns are present and to determine necessary soil and/or groundwater disposal options.
- Project construction contractors shall report any evidence of potential soil contamination, or any unearthing of storage drums or other potential sources of hazardous materials/wastes, to the City. If determined by the City to be warranted, a Phase II Environmental Site Assessment shall be conducted, including a hazardous materials field survey, borings, and soil testing to determine if hazardous materials contamination is present, and if present, the spatial extent of the contamination. If contamination is found, the City shall have the site remediated to the satisfaction of the applicable federal, state and county regulatory agencies.
- If any dewatering is required during construction within 300 feet of any of the recorded hazardous materials/waste site, the City shall have the water proposed

for removal tested for contamination prior to dewatering activities. If the water is found to contain regulated contaminants, the City shall have the water remediated to the satisfaction of the applicable federal, state and county regulatory agencies prior to removal.

Wetland mitigation activities (creation and enhancement) may potentially result in environmental or human exposure to hazardous material from soil disturbance including digging and grading. The identified wetland mitigation sites are not anticipated to have the potential to expose persons to any hazardous materials that may be present. The potential for environmental or human exposure to hazardous materials during the creation or enhance of wetlands will be mitigated to a level of insignificance by implementing the following mitigation measure (Hazards-4):

- The City of Arcata shall have a Phase I Environmental Site Assessment (e.g., EDR records search, interviews, historical research, and reconnaissance-level field survey) conducted by a qualified engineer or hazardous materials consultant of the mitigation wetlands sites prior to development of the wetlands. If the Phase I indicates that un-remediated hazardous materials sites are listed by government records as occurring on the mitigation wetlands sites, or if the field survey finds hazardous materials contains/tanks or evidence of hazardous materials contamination, required mitigation shall be identified by the consultant and implemented by the City prior to construction.

### **Monitoring and Reporting**

City staff shall monitor all the activities proposed in the MND for the proposed project including those carried out by contractors and other public agencies' staffs. Work shall not commence without the City complying with pre-construction monitoring, surveys, or investigation requirements as provided above.

The City shall implement the mitigation measures above as required. Following each construction season and at the completion of the proposed project, the City shall provide a written report to the Conservancy on these mitigation measures and their success.