

197/199 Safe STAA Access Project



Volume III

Final Environmental Impact Report/ Environmental Assessment and Section 4(f) Evaluation

Responses to Comments

State Clearinghouse Number: 2008082128

SR 197 and US 199 in Del Norte County
Ruby 1, 01-DN-197 PM 4.5; Ruby 2, 01-DN-197 PM 3.2-4.0;
Patrick Creek Narrows, 01-DN-199 PM 20.5-20.9, PM 23.92-24.08, & PM 25.55-25.65;
Washington/Narrows, 01-DN-199 PM 22.7-23.0, & PM 26.3-26.5
EA: 01-48110, 01-45490, 01-47940, 01-4500U

**Prepared by the
State of California Department of Transportation**

The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 U.S.C. 327.

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Chapter 1 Introduction and Background

Volume III of the Final Environmental Impact Report/Assessment for the 197/199 Safe STAA Access Project consists of California Department of Transportation (Department)-prepared responses to written comments from the public regarding the proposed project. Volume I consists of the main Final EIR/EA document. Volume II consists of the Appendices.

On July 13, 2010, the Department held a public meeting to provide the public an opportunity to review project information, the results from the Draft EIR/EA, ask questions, and submit comments. A Notice of Completion form and Draft EIR/EA copies were submitted to the State Clearinghouse on June 29, 2010 with a request to close circulation and comment period on August 23, 2010. The State Clearinghouse sent a letter back to the Department stating that the review period closed on August 12, 2010, but the Department did not consider that statement as being correct. Instead, the Department considered the close of the public comment period to be August 23, 2010, as noted in public notices, on the comment cards, and as stated at the public meeting.

The Department received a total of 91 public comments in the form of comment cards, letters, form letters, emails, and verbal comments from individuals that attended the July 13, 2010 public meeting, during the circulation of the Draft EIR/EA. Some individuals and organizations submitted more than one written comment letter.

The Department released a Partial Recirculated Draft Environmental Impact Report / Supplemental Environmental Assessment on September 18, 2012, and accepted comments until November 5, 2012. The Recirculation involved only Sections 2.3.1 Natural Communities and Section 2.3.3 Plants. The Recirculation was to address additional information on potential effects to large redwoods and another special status plant species. The Department received 398 public comments in the form of letters, form letters and emails.

1.1 Organization of Public Comments

Written comments from public agencies and governments, organizations, and individuals received regarding the Draft EIR/EA and the proposed project are included in this volume. Each public comment received was placed into one of five categories, as listed below, including the transcript of comments provided during the public meeting held on July 13, 2010.

1. Public Agencies and Governments
2. Organizations
3. Individuals
4. Public Meeting Transcript
5. Form Letter
6. Comments on Recirculated Environmental Document

1.2 Format of Responses to Public Comments

Each written comment has one or more numbers inserted in the margin. These numbers correspond to Department written responses that follow each comment. Note that in some cases responses to public comments refer the reader to a response to a different comment or to the grouped responses section, described below.

Chapter 2 Grouped Responses to Common Public Comments by Topic

Many of the written comments received from the public raised similar concerns regarding the proposed project. To avoid repetition of responses to similar comments, common issues raised in public comments were grouped together by topic and responses were prepared to address each topic in detail. The following Grouped Comments and Responses section precedes the actual copies of public comments. Each Grouped Comment and Response is assigned a number for reference.

- #1 Purpose and Need
- #2 Cost vs. Benefit
- #3 Visual Resources
- #4 Effects on Trees
- #5 Wild and Scenic River
- #6 Alternative Routes
- #7 Inadequate Range of Alternatives
- #8 Safety
- #9 Traffic Study
- #10 Geologic Stability

2.1 Grouped Comment #1: Purpose and Need

Many comments addressed the purpose and need of the project. Some comments questioned whether there was an actual need for STAA truck access, since a minimal number of businesses propose to use STAA trucks if the State Route 197/U.S. Highway 199 corridor (197/199 corridor) is reclassified for STAA access, minimal economic improvement is anticipated for Del Norte and Humboldt Counties, and there is an anticipated increase of only 17 trucks (or 8.25 new daily round trips) per day. Some comments stated that the road is adequate and usable in its current state for the smaller California-legal trucks, which have equal weight limits to STAA trucks and which are the trucks that most businesses surveyed said they would continue to use; therefore, they state that there is no need to reclassify SR 197 and US 199 to accommodate STAA trucks. The Department's response is presented below.

2.1.1 Grouped Response #1: Purpose and Need

The purpose of the proposed project is to improve spot locations on SR 197 and US 199 in Del Norte County to accommodate STAA truck travel, thereby removing the restriction for STAA vehicles, and improving goods movement. By making improvements to accommodate STAA

trucks, the prohibition for STAA vehicles would be removed, the SR 197/US 199 route would be consistent with federal and state legislation and regional programs, plans, and policies, and the safety and operation of US 199 and SR 197 would be enhanced. This would improve goods movement, and also enhance safety on the routes for automobiles, trucks, and other large vehicles such as motor-homes, buses, and vehicles pulling a trailer. The proposed project has logical termini (rational end points) as it addresses the curves that currently result in the STAA vehicle prohibition. The project has independent utility as no further improvements on the 197/199 corridor are required to lift the restriction on STAA Vehicles between US 101 at Crescent City and I-5 at Grants Pass, Oregon.

The need for the project is greater options for goods movement and potential economic benefits (see Section 2.1.2.2 of the DEIR/EA): As stated in Section 2.1.2.2, “an anticipated outcome of the project is that it will promote and encourage economic growth by providing a more efficient, less costly way to move goods and people into and out of the county.” Also, “The use of non-STAA (shorter) trucks requires businesses to incur extra costs associated with transferring goods between non-STAA trucks and STAA trucks. In addition, many businesses must maintain higher inventories because of port access, erratic deliveries, and damage during transfers. The cost of trucking is an issue not only for manufacturing, but also for local residents in the way that it affects the cost of living. Some local residents view transportation costs as an additional tax on businesses and consumers. Local economic development planners estimate that Humboldt County businesses and residents pay about 10% to 15% more for goods as a result of poor truck access. (Note: Because Del Norte County has similar limitations on STAA truck access, transportation-related effects on prices for Del Norte County residents and businesses would be similar to those faced by Humboldt County residents and businesses. This issue is discussed in more detail under “Economic Impacts.”). As discussed under “Potential to Influence Population and Economic Growth [Section 2.1.2.2],” the removal of STAA restrictions along the 197/199 corridor would foster economic and population growth but would not directly or indirectly encourage unplanned growth or greatly hasten planned growth.

Reclassification of the 197/199 corridor as STAA-accessible is based on the following legislation and local policy/guidance/actions (see bulleted list below and Chapters 1 and 2 in the DED).

- Regional Transportation Plan need (Section 2.1.5.1 in DEIR/EA): The 2002, 2007, and 2011 Regional Transportation Plans (RTP) also contribute to the need for the proposed project. The Del Norte Local Transportation Commission has long supported STAA access through this corridor. The 2007 RTP (accessed at <http://dnltc.org/planningdocs/> on 2/27/13) defines the mobility conditions, needs, and actions necessary for a coordinated and balanced regional transportation system in Del Norte County. Objective 1 under Policy 5.D.3 states “Support planning for, and implementation of, improvements necessary to upgrade SR 197 and US 199 from “Red Route” to “STAA Route” status.” See Section 2.1.5.1 in the DEIR/EA for further discussion. The Truck Policy in the 2011 RTP (accessed at http://www.dnltc.org/planningdocs/RTP_2011_Final_061611.pdf accessed on 1/26/12) further states “Encourage and partner with Caltrans to meet the needs of local shippers, and businesses moving freight by truck, when planning truck routes in and out of the County.” Objective 1 under this Truck Policy states “Continue to implement roadway improvement projects along the US Highway 199 and Route 197 corridor that will achieve STAA Route

status and create a viable trade corridor." These local plans show that there is strong interest and support by the local government, contributing to the need of the project.

- Regional Transportation Improvement Program need (Section 2.1.1.2 in DEIR/EA): The 2008 Regional Transportation Improvement Program (RTIP), adopted by the Del Norte Local Transportation Commission (DNLTC), also contributes to the need for the proposed project. The RTIP states that "This project on US Highway 199...Realignment and Widening at Patrick Creek Narrows, has been selected as the #1 priority by the DNLTC" (see pg. 4 of the RTIP, accessed at http://www.dnltc.org/planningdocs/RTIP_2008.pdf on 1/26/12). The RTIP also stated that the DNLTC requested STAA access from DN to Interstate 5 be fully funded and requested advancing State Transportation Improvement Project (STIP) shares to fund the Realignment and Widening at Patrick Creek Narrows. The 2008 RTIP also states goals of planning to accommodate STAA trucks on US 199 and SR 197 and support development of a viable goods movement truck corridor on these roadways. This local guidance/action shows that there is strong interest and support by the local government, contributing to the need of the project.
- Federal need (Section 1.2.2 in DEIR/EA): The need for the proposed project is partly based on the Surface Transportation Assistance Act (STAA) of 1982. This is mentioned in the Need section in Chapter 1 of the DEIR/EA, which states "The Department continues to evaluate and open STAA access to existing state routes as improvements are made to allow safe access for STAA vehicles, in accordance with the Federal STAA of 1982" (section 1.2.2). Additional clarification was added to the Need section of the FEIR/EA after review of public comments to further explain the federal STAA and how the proposed project complies with the federal STAA.
- State need (Section 1.2.2 in DEIR/EA): The need for the proposed project is also based on Assembly Bill (AB) 866, passed in 1983, which implements provisions of the federal STAA.
- Route Concept Report needs (Section 1.2.2 in DEIR/EA): The Route Concept Reports for SR 197 and US 199 (1999) also contribute to the need for the proposed project. They concluded that the two routes should be widened and realigned to safely accommodate STAA trucks.
- Consistency with local policy: See "Environmental Consequences," under the Consistency with State, Regional, and Local Plans and Programs section, Section 2.1.1.2, in DEIR/EA for a discussion of consistency with the above plans. The Avoidance, Minimization, and/or Mitigation Measures portion of Section 2.1.1.2 states "Overall, the proposed project is consistent with all local and regional plans and policies, and no long-term measures are necessary. Implementation of the access- and circulation-related minimization measures in Sections 2.4.3, 2.4.4, and 2.4.5 [of the DEIR/EA] would minimize effects of the temporary closures of US 199 during construction." Furthermore, the No Build Alternative would fail to be consistent with the DNLTC RTIP's Highways, Streets and Roads Goal, since the No Build Alternative would not accommodate long (STAA) trucks on SR 197 and US 199 (see Section 2.1.1.2 in the FEIR/EA). The purpose and need for the project is consistent with local policy.

While achieving consistency with the federal STAA, State bill 866, RTIP, RTP, and Route Concept Reports, the Department has determined that there would be anticipated benefits if

proposed improvements were constructed and the 197/199 corridor was reclassified to allow STAA trucks. Anticipated benefits are discussed in Grouped Response #2.

Revisions were made to Sections 1.2.1 and 1.2.2 in the FEIR/EA for clarity.

2.2 Grouped Comment #2: Costs vs. Benefits of the Proposed Project

Several comments stated concern regarding the potential costs of the proposed project and questioned whether the costs would outweigh the anticipated benefits. Topics of particular concern that were mentioned include the following: costs of the projects, including monetary cost; temporary construction impacts; potential economic impacts to Crescent City; safety impacts; and potential environmental impacts. Comments suggested that the above costs outweigh the minimal benefits anticipated, including a minimal number of businesses that propose to use STAA trucks, minimal economic improvement anticipated for Del Norte and Humboldt Counties, and an anticipated increase of only 17 truck trips (i.e., approximately eight truck round trips) per day.

2.2.1 Grouped Response #2: Costs vs. Benefits of the Proposed Project

The Department appreciates the public's concern regarding costs versus benefits. In general, the concept of cost versus benefit is not a topic that is addressed in the environmental document, however the Department is providing the following information. Additionally, the purpose and need are based on striving to achieve consistency with the federal STAA and State Assembly Bill 866, plus the RTIP, RTP, and Route Concept Reports discussed above, that seek reasonable access to terminals for STAA trucks (see Grouped Response #1, above), so cost versus benefit is not a consideration for the Department regarding the project purpose and need. However, the Department would like to respond in the interest of maintaining good communication with the public. See Grouped Response #1, above, for a discussion of anticipated benefits associated with the purpose and need. Following are responses addressing concerns regarding costs versus benefits of the proposed project.

Monetary cost of the project versus anticipated economic gain: Some comments stated concern that the proposed project costs too much money to build compared to the minimal economic gain. There would be some economic benefit from lower transportation costs (see Section 2.1.2, Growth, and specifically, Section 2.1.2.3, Environmental Consequences, in the DEIR/EA). According to the Community Impact Assessment (Trott 2010, pages 4-73 through 4-80) prepared for the DEIR/EA, the proposed STAA truck access improvements along the 197/199 corridor would lower transportation costs by about 15% for an estimated 20% of the trucking firms and about 60% of the producers in the two-county [i.e., Del Norte and Humboldt Counties] study area, based on a survey of 37 trucking and producer firms. The Community Impact Assessment (pages 4-83 through 4-85) discusses economic effects of the project.

In terms of employment and personal income, the project is anticipated to generate small economic benefits to the region. As discussed on page 2.1-44 of the DEIR/EA, providing STAA

truck access on SR 197 and US 199 could result in the creation, in the near term, of 30 or more jobs in Del Norte County and 43 jobs in Humboldt County—a 0.3% increase in employment in Del Norte County and 0.1% increase in Humboldt County compared to existing employment levels. Annual personal income related to this expansion of economic activity could total an estimated \$4 million (\$1.4 million in Del Norte County and \$2.6 million in Humboldt County). The number of jobs that could be indirectly generated in other business throughout the regional economy is not known. A full assessment of the potential adverse and beneficial economic effects of the project is provided in the Community Impact Assessment prepared for the DEIR/EA (Trott 2010), which is available for review at the Department’s District 1 office at 1656 Union Street in Eureka and at the public library in Crescent City.

Temporary construction impacts versus anticipated long-term benefits: Proposed temporary impacts may be of concern to members of the public, particularly because of anticipated traffic delays over the proposed construction seasons, which may discourage tourists from visiting North Coast destinations and may affect access for emergency service vehicles. Discussion on temporary construction impacts is provided in DEIR/EA Section 2.4, and see pages 2.4-20, -21, -25, -27, and -28 for Measures to Reduce Temporary Access and Circulation Impacts regarding measures for both emergency vehicles and tourism. Section 2.1.1.2 also discusses assurance of emergency vehicle access through the work zone. See Section 2.5.3.2 in the Draft and Final EIR/EA regarding considerations for potential cumulative effects by resource topic, particularly traffic delays in the Community Impacts section. The construction schedule is discussed in Section 2.4.3 of the Draft EIR/EA and Final EIR/EA; currently, construction of project improvements is anticipated to begin in 2014 and to be completed by late 2017. This timeframe is refined in the Final EIR/EA so that construction would begin in 2013 and occur through 2015, since the Retaining Wall Alternative for Washington Curve was not selected as the preferred alternative and was the reason that construction might extend to 2016 (see Tables 1-2 and 1-3 in the Draft and Final EIR/EA).

The anticipated schedule includes summer and early fall periods, when tourism levels are generally high. The Department determined that the potential temporary and permanent impacts from proposed construction would not be significant or cumulatively significant because impacts would be temporary and would leave no long-lasting effects. The proposed project was designed so that it would meet the purpose and need while minimizing temporary impacts and avoiding or minimizing environmental impacts. The Traffic Management Plan for each project location provides restrictions to avoid lane closures and traffic delays on busy travel days, including Friday afternoons (after 3 p.m.), Saturdays, Sundays, designated legal holidays, the day before designated legal holidays, and special event days. There will be advanced public notice of closures. Additionally, except for staged construction, the full width of the traveled way would be open for use by public traffic from the preceding Friday to the following Monday for special events that could be affected by project construction, such as the annual “Jamming on the Jed” festival. These measures and the access and circulation–related measures described in the Avoidance, Minimization, and/or Mitigation Measures portion of Section 2.4.3 of the Draft and Final EIR/EA would help reduce impacts on tourists and motorists during the construction periods for each location.

For the proposed improvements at the Ruby 1 and 2 sites on SR 197, delays for motorists are not anticipated to be long, with one lane of SR 197 through the construction zones anticipated to be

open at all times. Additionally, both lanes would be open during weekends. According to the Traffic Management Plans for these sites, the maximum delay during construction is estimated to be 15 minutes. Therefore, impacts on delays of tourist traffic on SR 197 are anticipated to be minor.

Potential impacts on tourist travelers on US 199 from construction of improvements at Patrick Creek Narrows Locations 1 to 3 and the Narrows and Washington Curve sites range in level of severity. During much of the construction seasons, one lane of US 199 would be open at all times, with maximum delays anticipated to range from 15 to 30 minutes at individual project locations. If construction were to occur at the same time at all seven locations in the 197/199, the Department determined after circulation of the DEIR/EA and further study of the selected preferred alternatives that cumulative delays in the 197/199 corridor will not be allowed to exceed 90 minutes during daytime construction (see FEIR/EA in Section 2.4.3), which would be inconvenient for travelers but not likely to deter many tourists from traveling to destinations in Del Norte and Humboldt Counties. At night, however, delays could be substantially longer as all lanes are periodically closed for construction operations. Delays of up to 4 hours over 50 to 150 nights, spread over two construction seasons, could occur at the Washington Curve site.

Potential safety impacts versus benefits: Some comments stated concern for an increase in truck traffic and how that would affect road users. Related to traffic operations, the potential increase in truck traffic has a minimal impact. As stated in the purpose and need, providing the proposed safety improvements will be a benefit to all users of the corridor, not just trucks. See the response to Center for Biological Diversity's Comment 6 (see Chapter 2 of response to comments volume of the Final EIR/EA) for a discussion of safety and how collisions are addressed. See Grouped Response #8, below, for a discussion of how speed zones are determined, safety, and how the anticipated increase in truck traffic would affect local communities and road users. See response to Transcribed Comment 6-1 for a discussion of assessing school bus access. See the response to Vern Powers' Comment 1 for a discussion of hazardous material spills. In summary, the proposed improvements are intended to enhance safety on SR 197 and US 199 for all road users, and the anticipated increase in truck traffic would be minimal enough that it is unlikely that local residents would notice the additional truck traffic after construction or under future conditions.

Potential costs of environmental impacts: Some comments questioned the need for STAA truck access and whether or not the project is worth the potential impacts to trees and wildlife. Regarding potential permanent environmental impacts, there would not be substantial adverse impacts to sensitive environmental resources due to implementation of the preferred alternatives of the proposed project (see Section 3.2 of the Draft and Final EIR/EA). See Section 1.3.7 in the FEIR/EA for a discussion of selected preferred alternatives and Section 3.2.3 in the FEIR/EA for a discussion of unavoidable significant environmental effects. Measures would be implemented to avoid and/or minimize environmental impacts to all other environmental resources at all seven locations so that no sensitive resources would experience significant impacts (see Section 3.2 and Volume II, Appendix E in the FEIR/EA). The 197/199 corridor would not change dramatically due to the proposed project, since road improvements are proposed at only seven locations; most improvements involve minimal road/shoulder widening; the slope cuts would have a similar appearance to the existing slope cuts (i.e., rock with some lightly vegetated soils); the proposed new structures (i.e., retaining walls at the Patrick Creek Narrows locations plus the new arch

bridge at Patrick Creek Narrows Location 2) would have aesthetic treatments that match the existing treatments along US 199; the new bridge would be an arch bridge, just like the existing bridge; vistas would not be substantially different than existing; and posted speed limits would not change. Since widening would be minimal at the seven locations, drivers would not likely be able to perceive the additional width as being wide enough to speed up in those areas; even if drivers did speed up in those seven spot locations, the 197/199 corridor would remain winding, leading to drivers maintaining slower speeds along the majority of the corridor.

The bridge replacement at Patrick Creek Narrows Location 2 would have the highest potential for impacts to sensitive environmental resources due to work over the Middle Fork Smith River and the greatest number of special status plants in areas of proposed ground disturbance; however, avoidance and minimization measures have been included in the proposed project's design, in consultation with environmental resource agencies, to offset potential environmental impacts (See Volume II, Appendix E). No work would be conducted in the wetted channel. If the bridge was not replaced under this project, it would be needed in the near future, considering that the existing bridge is nearing the end of its design life.

Enhanced safety (see Section 1.2 of the DEIR/EA): Proposed roadway improvements, such as roadway widening and improved sight distances, would enhance safety on SR 197 and US 199 for all users.

Decreased travel times (see Section 2.1.3.1 of the DEIR/EA, and Figure 4 and pages 7-10 in the Traffic Analysis Report (Fehr and Peers 2010)): The opening of an STAA-accessible route along US 199 and SR 197 would substantially decrease STAA-truck travel times for trucks traveling to/from Interstate 5 in Oregon and US 101 in California.

Improved access to public services and enhanced safety (see Section 2.1.4.2 of the DEIR/EA): The proposed project would improve access to public services in the study area, including law enforcement, fire, and emergency services. Existing emergency service provider routes would be enhanced by project improvements, including roadway widening and improved sight distances in places along SR 197 and US 199. In addition, the proposed improvements would enhance roadway safety along the 197/199 corridor, which could reduce traffic accidents and related calls for emergency services.

No revisions to the Draft EIR/EA are necessary.

2.3 Grouped Comment #3: Visual Resources

Several public comments stated concern that the inherent beauty of Highways 197 and 199 would be modified due to the proposed project. They do not feel this is acceptable when so few people are likely to benefit from the proposed project.

2.3.1 Grouped Response #3: Visual Resources

The Department provided a Visual Assessment study to analyze potential impacts to aesthetics along this corridor. Results from the study were included in the DEIR/EA (see DEIR/EA Table S-1, sections 2.1.6 and 2.4.6, and Chapter 3). Along US 199, none of the proposed improvements would substantially alter views which are observed by the traveler, nor would the improvements substantially alter views as viewed from residences or recreationists. Changes to the roadway conditions on US 199 would slightly increase the length of viewing time of vistas. There would be little effect on fore, mid, and background views. However, installing retaining structures, lengthening cut slopes in certain locations, and relocating a bridge near its existing location would remove and/or degrade existing visual resources such as trees, rocks, vegetated slopes, and a 1925 bridge structure. Although potential impacts were identified in the DEIR/EA, none of the proposed impacts to visual resources were determined to be significant or substantially adverse (see DEIR/EA Section 2.1.6.3 for a discussion of proposed impacts to visual resources and Section 3.2.1 in the CEQA Chapter for inclusion of Visual/Aesthetics in the category of Less-than-Significant Effects of the Proposed Project).

Avoidance, minimization, and/or mitigation measures as described in Section 2.1.6.4 in the DEIR/EA and FEIR/EA will serve to lessen or avoid impacts on visual resources. The Department has committed to maintaining corridor consistency in aesthetic treatment of the retaining walls, concrete safety barriers (Type-80 railing with aesthetic treatment) and the proposed bridge replacement along Route 199. The retaining walls and portions of the bridge proposed for this project will have identical or nearly identical aesthetic treatment (rock facing) compared to what has already been constructed in recent years in the replacement of Hardscrabble Creek Bridge and at the retaining walls at Idlewild curves.

Based on the selected preferred design option for bridge type at Patrick Creek Narrows Location 2 (see Section 1.3.7 in the FEIR/EA), the bridge would be replaced with an arch bridge with aesthetic treatment (e.g., color and texture treatments of the concrete that would simulate or aesthetically match the surrounding natural environment) that would be the same or similar to other recent aesthetic treatments constructed along US 199, such as at Hardscrabble Creek Bridge. The aesthetic treatment would be developed in coordination with the U.S. Forest Service, and would be identical or similar to that of Hardscrabble Creek Bridge and the retaining walls at Idlewild curves, to ensure that Wild and Scenic River and Department of Transportation Act Section 4(f) concerns are addressed.

Rock-retaining curtains, also called cable mesh draperies, would be almost identical to the curtain (drapery) shown in the photo in the document (see Photo 15 in the DEIR/EA, Figure 2.1.6-3h), and also where it is newly placed along US 199 from post mile R18.3 to R18.6. Regarding concerns about visual impacts from cable mesh drapery, the drapery would be a brown or black color which visually blends into the natural landscape better than lighter colors such as grey or metallic. The travelers' view of the drapery is of short duration, and if on a curve, it will be less noticeable. For these reasons, this drapery may cause only a minimal visual impact. There are no cumulative impacts regarding cable mesh drapery, as drapery is not expected to be the usual manner of rock-fall control along US 199.

No revisions to the Draft EIR/EA are necessary.

2.4 Grouped Comment #4: Effects on Trees

Some comments stated concern that the proposed project would have impacts to root and canopy structures of large redwoods. Several comments expressed concern about large redwoods both as a cultural/visual resource and as a biological/ecological resource at the Ruby 1 and Ruby 2 sites. There are several large Douglas-firs at the Patrick Creek Narrows Location 2 that have similar resource value. However, these mature Douglas-fir trees are within hundreds of acres of similar forest community in this area. Nonetheless, the department has designed the project to minimize impacts to this forest community. Comments stated concern for trees within the project footprint which would be removed, and trees near the project footprint which could have root impacts and/or other indirect effects.

2.4.1 Grouped Response #4: Effects on Trees

After circulation of the DEIR/EA, the Department conducted an additional study (Forester/Arborist Report 2012) and recirculated a portion of the DEIR/EA with updated information about potential impacts to these resources. It should be noted that the Ruby 1 location and the Ruby 2: Two Foot Widening in Spot Locations were both designed to avoid impacts to large redwoods (greater than 36 inch dbh), and the Ruby 2: Two Foot Widening in Spot Locations was selected as the Preferred Alternative at this location because it avoided significant impacts to large redwoods.

The Forester/Arborist Report assessed potential impacts to each tree on an individual basis and as a forest stand. Trees were assessed based on the project activities around each tree including: amount of ground disturbance such as cut or fill, removal of adjacent trees and canopy effects, potential construction impacts and proportion of the Root Health Zone (5x dbh) which would be affected (cut, filled or compacted). The study demonstrates that no large redwoods would be substantially affected by the preferred alternatives for the proposed project. The study methods and results are discussed in Section 2.3.1 of the Recirculated DEIR/EA and the Final EIR/EA.

Ruby 1 and the preferred alternative for Ruby 2 will not have substantial negative effects on the large redwoods adjacent to the project because of the limited extent and nature of the proposed project. Trees can remain healthy and vigorous after impacts on up to 30% of their root zones, and none of the large redwoods near the project will have this level of effect.

The large redwoods and surrounding forest at the Ruby 1 and Ruby 2 sites are not high quality contiguous old-growth redwood forest, but are small fragments of the older forest. While many definitions exist for old growth forest the consensus is stand characteristics of: mixed age stands, complex crown structure (dead tops, cavities, large branches), multistage canopy and standing dead trees (Forester/Arborist Report 2012). Most of the surrounding lands have been developed for residential and industrial uses. While some of the individual trees are very impressive, large, old remnants of the old-growth forest, the area does not represent ecologically significant old-growth forest.

At Ruby 1 the forest is a thin strip of trees on either side of the highway, with a rock quarry to the east. To the west is the Smith River and the across the river are residences lining the river.

The surrounding forest landscape is second and third-growth forests under active forest management for production (see DEIR/EA Figure 2.1.1-1). The rock quarry to the east has been active and enlarged over the past decade.

At Ruby 2 the forest directly east is a second or third-growth industrial forest, which will likely have future harvest operations at some date. To the west are a few remaining large redwoods, residences maintaining lawns and homes along the river. The open residential lawns are as wide or wider than the forested strip west of SR 197, which highlights that the major landscape features being maintained in this area are developed residential and not mature forest resources. Again, across the river are more residences and industrial forests.

The major ecological forest resources in this area are the industrial timberlands which support a bulk of the wildlife in the redwood region and the park lands to the south which support true old-growth redwood ecological resources. These areas have contiguous forest habitats that can support wildlife populations and rare species which are dependent on the mature redwood forests. Marbled murrelets prefer larger stands of mature forest for nesting and the current highway and residential activities would likely preclude nesting in the large redwoods adjacent to the project site. Similarly, northern spotted owls require hundreds of acres of forest habitat within their home range and are not likely to be nesting in single trees adjacent to the highway, but rather in a 100-acres grove of mature redwoods. Given the fragmented nature of the forest habitat it is not likely to provide habitat for either northern spotted owls or marbled murrelets. The Biological Assessment and Biological Opinion from USFWS concur with the finding that the project may affect, but is not likely to adversely affect spotted owls or marbled murrelets at Ruby 1, Ruby 2, Washington Curve, Patrick's Creek Narrows 1 and Patrick's Creek Narrows 3. The small loss of habitat at Patrick's Creek Narrows 2 and potential for disturbance at Patrick's Creek Narrows 2 and The Narrows were determined to be adverse effects, but not likely to result in jeopardy to the spotted owl.

For other forest species using the project area, such as songbirds and small mammals, the risks of edge effects (higher predation rates) are greater. Risks associated with residential areas are higher densities of domestic cats and corvids, which can prey on wildlife populations, and increased mortality due to vehicles. Many roadside and residential areas may function as population sinks for some wildlife species.

The Ruby 1 and Ruby 2 projects together will permanently remove approximately 0.14 acres of redwood forest habitat. This habitat is already degraded by the residential areas, rock quarry and existing road. For perspective, there are approximately 2.29 acres of redwood habitat within the Right of Way adjacent to the Ruby 2 site. Of this, 0.14 acres (6%) would be removed by the preferred alternative of this project. For comparison, the rock quarry is approximately 4-6 acres of cleared forest land, the residential lawns adjacent to Ruby 2 are greater than 3 acres (likely more depending on how they are defined), and the nearby golf course represents over 60 acres of former redwood forest. Overall, the loss of 0.14 acres of non-pristine, roadside redwood habitat is not a significant impact to redwood ecology locally, regionally or even on the project site.

Nevertheless, these forested strips do provide a great aesthetic, visual and cultural value to the residents, tourists, and through travelers on SR 197, as is evidenced by the number of comments the Department received concerned about the large redwoods. With the selection of the Ruby 2:

Two-foot Widening in Spot Locations, these resources will not be negatively impacted by minor widening of the roadway, especially in this case where the large trees will be retained. The existing large trees will not be removed or indirectly affected by the project, thus the aesthetic, visual and cultural value of the trees will not be affected by the project.

Various avoidance and minimization measures are planned to reduce any effects to these large redwoods (RDEIR/EA and FEIR/EA Section 2.3.1.3). These include: minimizing excavation, cut, fill and compaction within the Root Health Zone wherever feasible, using an Air-Spade or similar pneumatic excavation tool within the Root Health Zone to avoid inadvertently severing roots greater than 2 inches, and reduced overall footprint of the project.

Some revisions have been made to the FEIR/EA Section 2.3.1 to clarify this information.

2.5 Grouped Comment #5: Wild and Scenic River

Some comments stated concern that the proposed project would have impacts to the Wild and Scenic River corridor and the Smith River.

2.5.1 Grouped Response #5: Wild and Scenic River

Designated recreational river segments allow for transportation facilities, such as SR 197 and US 199 (DEIR/EA Section 2.1.1.3). Highway improvements on US 199 were provided for in the Smith River National Recreation Area (NRA) when it was established, and the river was designated with these existing transportation facilities. Potential impacts on Wild and Scenic Rivers is discussed in the Draft and Final EIR/EA in Section 2.1.1.3, the DEIR/EA Appendix B, Section B.8.3, and in the FEIR/EA Appendix B, Sections B.4 and B.8.

See Section 2.1.1.3 in the FEIR/EA for a discussion regarding coordination with the National Park Service (NPS) for work at Ruby 1 and 2, near the Smith River. This section also discusses coordination with the Forest Service for work at the five proposed locations on US 199 near the Middle Fork Smith River. The concurrence letter from NPS was included in Chapter 4 of the DEIR/EA. The concurrence letter from the Forest Service, sent in April 2012, is included in Chapter 4 of the FEIR/EA. In summary, the NPS and the Forest Service concurred with the Department's preliminary findings that the proposed project would not have a permanent adverse effect on the free-flowing characteristics of the Smith River and Middle Fork Smith River or the values for which the river was designated, and project implementation would not alter the ability of the river to meet the Recreational designation it now holds.

Section 2.4.2.2 of the DEIR/EA and FEIR/EA describes the temporary effects of the proposed project on the Middle Fork Smith River due to proposed work at Patrick Creek Narrows Location 2. No permanent structures would be placed within the river channel that would alter the free-flowing nature of the river or recreational use of the river.

In addition, implementation of measures included in the Draft EIR/EA, Section 2.3.4.4 would avoid and minimize potential impacts on the salmonids and their Critical Habitat and Essential

Fish Habitat to the greatest extent practicable during project construction. Additional measures included in the Draft EIR/EA, Section 2.1.6.4 and Section 2.3.3.4 would reduce and minimize potential impacts on the visual setting and plant species, respectively.

No revisions to the Draft EIR/EA are necessary regarding this grouped comment; however, updates were made in the FEIR/EA Section 4.3 to reflect that coordination with the Forest Service is complete.

2.6 Grouped Comment #6: Alternative Route Linking US 101 to US 199

Several comments recommended an alternative trucking route. One alternative route was suggested to be constructed as a four-lane road parallel to the existing SR 197; this alternative will be referred to as the SR 197 Bypass. Another proposed alternative route was a four-lane bypass "...parallel with US 199 through the park," and a similar statement for "four lanes all the way to I-5 and four lanes through the park," which will be referred to as the US 199/Toll Road Bypass. Another proposed alternative was a four-lane highway from O'Brien in Oregon to Rowdy Creek in California; this will be referred to as the Rowdy Creek Bypass. The last proposed alternative route was suggested as a "straight line from I-5 to Crescent City, high-speed, four lanes, 55 miles an hour," which will be referred to as the Crescent City to I-5 Bypass.

2.6.1 Grouped Response #6: Alternative Route Linking US 101 to US 199

The Department appreciates suggestions for alternative truck routes. These alternative truck routes have been considered but eliminated from further consideration in the FEIR/EA. The anticipated environmental impacts would be too great to consider any of the proposed alternatives as viable. All of the proposed alternative routes would lead to the following anticipated environmental impacts:

- Water quality impacts, partly due to many acres of new impervious surface
- Erosion and sedimentation into creeks and rivers, due in part to new road cuts in many steep areas, some of which are likely geologically unstable with potential for landslides and rock fall
- Visual impacts
- Potential cultural impacts
- Potential wetland impacts
- Cutting of many trees, some of which may be large redwoods or Douglas-fir
- Habitat impacts to, and potential take of, special status and federal/state listed animal and plant species, including likely take of federally listed northern spotted owl and possibly marbled murrelet due to harassment and/or take of their critical habitat

- Potential impacts to Wild & Scenic River(s), particularly the upper forks of the Smith River tributaries that are considered wild
- Temporary and/or permanent impacts to 4(f) resources, such as public parks/recreation areas, through noise and visual impacts, right-of-way acquisition, and potential proximity impacts

Following is a discussion of potential environmental impacts for each proposed alternative. The quantity and magnitude of the potential environmental impacts leads the Department to consider but reject them.

The SR 197 Bypass would bypass properties on SR 197. It would require creation of a four-lane highway over approximately seven miles of currently unpaved ground. It would likely require creating bridges across six major creeks plus installation of culverts in at least three unnamed tributaries to the Smith River. It would also include construction through Jedediah Smith State Park (a Section 4(f) resource) and the Del Norte Golf Course.

The intent of the US 199/Toll Road Bypass may have been to provide a four-lane, less winding road that would be used by trucks and that would bypass SR 197. The proposed route, as described, appears to originate near Crescent City and parallel US 199 up to approximately Gasquet, at which point the new highway could connect to the Gasquet Flat Road to Gasquet Toll Road, then to Shelly Creek Road, and up to Oregon in the Cave Junction/O'Brien area. This alternative would require at least 30 miles of temporary and permanent impacts in northern California, not including the miles of impacts in Oregon. There is no existing road where the toll road ends that parallels US 199. This alternative would cross at least 20 major creeks and at least 21 unnamed tributary creeks on the existing toll road and Shelly Creek Road. Also, there would likely be approximately 10 miles of widening through old growth redwood forest in Jedediah Smith State Park, with new bridges or culverts on at least six major creeks and at least three unnamed tributary creeks to the Smith River before encountering US 101 near Crescent City.

The Rowdy Creek bypass would require routing traffic on Rowdy Creek Road from US 101 near the town of Smith River in Del Norte County (north of Crescent City), then to Low Divide Road, then north on Wimer Road, towards O'Brien in Oregon. It would require at least 30 miles of widening by at least two traffic lanes through Six Rivers National Forest in northern California with additional work in Oregon. It would also require culvert work and/or bridge work for at least 16 major creeks and at least 21 unnamed tributaries.

The Crescent City to I-5 bypass would route traffic as a straight line from Crescent City to I-5 in Oregon, which would be infeasible due to the rugged topography of the area that would be crossed, plus the large number of environmental impacts (e.g., many rivers, creeks, and tributaries, several mountains within the Klamath Ranges where numerous special status plant species would likely be encountered and affected; northern spotted owl and possibly marbled murrelet and their habitat would likely be affected; other special status species would likely be affected; and there would be impacts to water quality and Section 4(f), cultural, and visual resources, etc.).

No revisions to the Draft EIR/EA are necessary.

2.7 Grouped Comment #7: Inadequate Range of Alternatives, and Other Alternatives Proposed

Several comments state that the range of alternatives is inadequate, or other alternatives were not proposed. Some comments also requested that scoping comments be acknowledged in the record.

2.7.1 Grouped Response #7: Inadequate Range of Alternatives, and Other Alternatives Proposed

NEPA requires an agency to study, develop, and describe appropriate alternatives to recommended courses of action, and include in an EA a brief discussion of reasonable alternatives. The CEQA statutes require a reasonable range of alternatives. Section 15126.6 of the CEQA Guidelines states:

“An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

In summary, the lead agency must select a reasonable range of potentially feasible alternatives that would feasibly achieve most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project and that would allow informed decision making and public participation.

For the proposed project locations where only one build alternative was proposed, those being Ruby 1, Patrick Creek Narrows Locations 1 and 3, and The Narrows, there was no other feasible alternative that would attain the project purpose and need of the project (see Chapter 1 in the DEIR/EA and FEIR/EA) while avoiding or substantially lessening potential significant effects of the project. Please refer to Section 1.3.7, Alternatives Considered but Eliminated from Further Discussion, in the DEIR/EA for a discussion regarding the Department’s reasons for eliminating from consideration those alternatives for the above locations.

Among the locations that had more than one build alternative (Ruby 2, Patrick Creek Narrows Location 2, and Washington Curve), the Department considered all feasible alternatives that would feasibly achieve the purpose and need of the project while avoiding or substantially lessening potential significant effects. The only potential significant effects for the project would have occurred under the Ruby 2 Two-Foot Widening and Four-Foot Widening Alternatives, with proposed cutting of large redwood trees over 36 inches dbh. However, the Department considered but did not select these alternatives as the preferred alternative after circulation of the DEIR/EA due to their potential to affect large redwood trees; see Section 1.3.7. There were no

potential significant impacts anticipated or proposed for Patrick Creek Narrows Location 2 or Washington Curve.

No public comments suggested alternatives that would accommodate safe STAA access and avoid or substantially lessen potential significant effects of the project. Several public comments, including transcripts from the public hearing during the public comment period, suggested considering construction of a new truck route. Please see the Grouped Response #6 for a response regarding proposed new truck route(s). Some public comments suggested a safety-only alternative, in which the project would be built as proposed but reclassification of the route to allow STAA access would be avoided. Another proposed alternative suggested implementing options that avoided construction and STAA access, such as reduced speed limits, signage, improved lighting, and enhanced enforcement, to address this safety concern. Another proposed alternative was to consider a legislative exemption from STAA restrictions similar to that currently provided for moving vans; this is not considered safe due to STAA vehicles off-tracking into the oncoming lane. Some comments proposed alternative shipping technologies, but those technologies are speculative and not a reasonably foreseeable alternative to this project. The traffic analysis is based on current shipping methods and needs of shippers and producers in the region. Also, alternative shipping would not meet the purpose and need of the project. In total, the above proposed alternatives would not meet the purpose and need of the project, so they cannot be considered as viable alternatives.

The scoping comments were retained and are available for review upon request, through a California Public Records Act Request.

No revisions to the Draft EIR/EA are necessary.

2.8 Grouped Comment #8: Safety

Some comments stated concern that the 197/199 corridor would remain narrow and winding and unsafe for STAA truck travel, even after proposed improvements are made. Some comments stated concern that the increase in number of trucks anticipated after construction and under the future build condition would cause a significant increase in truck traffic and significant decrease in safety, particularly for the local communities. Some comments stated safety concerns associated with speed limits and collisions.

2.8.1 Grouped Response #8: Safety

It is true that the 197/199 corridor would remain narrow and winding, even after proposed improvements are made. As noted in Section 1.2.2 of the DEIR/EA, safety-enhancing improvements, including wider lanes, wider shoulders, longer-radius curves, and enhanced sight distances, are needed at the seven proposed project locations to provide a roadway that is easier for STAA trucks to traverse; these improvements would benefit all users. These improvements would allow STAA trucks and other large vehicles to negotiate the 197/199 corridor without offtracking into the oncoming traffic lane at the seven proposed locations. Offtracking is the tendency for rear tires to follow a shorter (i.e., different) path than the front tires when turning

and is the primary concern with longer vehicles because rear tires may clip trees, knock down signs, encroach onto shoulders, or cross into the opposing/adjacent lane of traffic (see DEIR/EA Section 1.2.2). For a typical passenger car, the path followed by the rear wheels is almost the same as the front wheels. Offtracking of large vehicles, particularly STAA trucks, was the focus of investigations by the Department to ensure safe STAA truck travel.

To address the purpose and need of the project, truck offtracking into the oncoming traffic lane was considered to determine where the roadway geometrics would need to be improved along the 197/199 corridor to allow safe access by STAA trucks. As stated in Section 1.2.2 of the DEIR/EA, STAA truck tracking trials¹ and computer modeling software (i.e., software called AutoTURN, using the Caltrans “STAA-Long” vehicle type; this software is used by engineers worldwide) helped the Department conclude that STAA-length vehicles offtrack into the oncoming traffic lane at seven identified pinch-point locations based on roadway geometries. The truck tracking trials identified potential locations to consider, and AutoTURN was the method used by the Department to make final determinations as to which of the locations identified in the truck tracking trials actually showed STAA trucks offtracking into the oncoming traffic lane, based on consistent, quantifiable conditions that were entered into the computer model. These seven offtracking locations are where widening improvements are proposed. All other locations that were identified in the truck tracking trials and preliminary reports, including the Hiouchi-to-Gasquet section of US 199, were removed from further consideration for this project because they did not show offtracking by STAA trucks into the oncoming traffic lane, and therefore they did not address the project purpose and need. The proposed project would improve seven locations on SR 197 and US 199 by widening, improving tight radius curves, and providing wider shoulders, allowing drivers additional room for recovery and for negotiating tight curves with opposing traffic, or when bicycles or pedestrians are present. The computer model helped determine the amount of widening or realignment required at the seven locations. If the proposed improvements are made, STAA and other long vehicles should not offtrack into the oncoming traffic lane because there would be sufficient width for these vehicles to turn within their lane. The 197/199 corridor would remain narrow and winding, but offtracking into the oncoming traffic lane should be eliminated in the vicinity of the seven proposed project locations, which are the only locations identified by Department’s investigations as being places where an STAA truck would offtrack, and that is what the Department considers necessary in order to allow safe STAA access.

Regarding the concern that the increase in number of trucks anticipated after construction and under the future build condition would cause a significant increase in truck traffic and significant decrease in safety, particularly for the local communities, the DEIR/EA acknowledges (pages 2.1-56 to 2.1-57) that the existing average daily traffic acts as a barrier that separates parts of the communities adjacent to the highway within the 197/199 corridor, but it states that the increase in truck traffic through these communities resulting from the project’s removal of STAA trucking restrictions would be minor. The assessment of the project’s impacts on these

¹ A number of reports and studies have identified the lack of access for STAA trucks on SR 197 and US 199. A key study was the set of STAA truck tracking trials by Caltrans District 1 Traffic Operations/Permits on SR 197 and US 199 in August 2003 and October 2005 (*DN-197/199 Corridor Extra-Legal Load and STAA Vehicle Accessibility Study* (March 2006)). Additional reports identifying improvement strategies needed to upgrade the corridor to accommodate STAA vehicles are listed in Section 3.1 of the draft Project Report for the 197/199 Safe STAA Access project (June 2010).

communities was based on how heavy-truck traffic would increase under with-project conditions. The additional trucks per day is considered minor because the proportion of total traffic consisting of heavy trucks is anticipated to increase from 10.0% to 10.3% along the segment of US 199 between SR 197 and Gasquet, including Hiouchi. Under future (2030) with-project conditions, the increase in percentage of total average daily trips attributable to heavy-truck traffic would increase slightly from 10.0% to 11.4% along US 199 between SR 197 and Gasquet. The projected increase in truck traffic by 2030 is considered insignificant because the estimated 92-truck increase per day by 2030 equates to about 10 trucks per hour in the peak period or one additional truck every six minutes. Per the Caltrans Guide for the Preparation of Traffic Impact Studies, the minimum threshold for "significant impact" is between 50-100 trips per hour. The proposed peak hourly increase of 10 trucks per hour (or 92 trucks per day) in 2030 falls well below the "significant impact" criteria. It is very unlikely that this very small increase in truck traffic will even be noticeable by the traveling public or residents living or working within the corridor in the Year 2030. In summary, the traffic analysis conducted for the Draft EIR/EA indicates no substantial adverse impacts on the roadway, transit, bicycle, or pedestrian systems or their operation within the study area. Additionally, the projected 92-truck per day increase by 2030 assumes consistent economic growth each year for the entire 20-year period. In the event of economic down times, such as what is being experienced currently by the region, state, and nation, the projected truck increase could be much lower than what was estimated by Fehr and Peers in the Traffic Study.

Speed Limits

Some comments suggested reducing speeds on highways 197 and 199 to prevent accidents. The Department also is concerned over the problem of excessive speeds and traffic safety. The process for reducing speed limits below the state maximum is complex. Reduced speed zones must be justified by an engineering and traffic survey (E&TS), which is a specific method defined in Section 627 of the California Vehicle Code. The implementation of speed zoning law is found in the California Manual on Uniform Traffic Control Devices (California MUTCD). Once an E&TS is completed, with concurrence by the California Highway Patrol, the report and any associated orders are filed with California Superior Court; they generally have a term of seven years.

The District 1 Traffic Safety office has conducted two detailed engineering and traffic surveys (E&TSs) in both Gasquet and Hiouchi since June 1998. As required by the vehicle code, these surveys were based on field-measured 85th-percentile speeds, collision history, and highway, traffic and roadside conditions not readily apparent to drivers (also called hidden conditions). Field-assessed residential and commercial density conditions and pedestrian and bicyclist safety were also considered when selecting the appropriate speed limit for these two communities.

The most current E&TS for State Route 199 through Gasquet reflects an analysis from postmile R11.95 at Mary Adams Peacock Bridge to postmile 14.50 at the north end of the existing 50 mph speed zone. This engineering and traffic survey was completed in October 2009 and is due for renewal in October 2016. As required by the vehicle code, the survey was based on prevailing speeds (85th-percentile speeds); collision history; and highway, traffic, and roadside conditions not readily apparent to drivers. Since at least 2004, the collision rates in Gasquet for both fatal+injury and total collisions have consistently been well below statewide averages for similar

roadway facilities, and there are no hidden highway, traffic, and roadside conditions. Residential density and pedestrian and bicyclist safety were also considered in the study. There has actually been a small reduction in prevailing speeds in Gasquet over the period of February 2008 to October 2009. Concerted and persistent efforts by the Department to calm traffic speeds in Gasquet by providing more cues to drivers that they are driving through a community where people live, work, and play have perhaps had a beneficial effect.

In the last few years, the Department has implemented several safety improvements and additional studies in the vicinity of Gasquet, including the following:

- an E&TS extension which included traffic, speed, and collision studies in March 2008
- an overlay and restriping to a two-way left-turn lane with northbound and southbound bicycle lanes in August 2008
- additional traffic, speed, and collision studies (extending to just south of Gasquet Flat Road) in September 2008
- installation of “share the road” bicycle signs, new speed zone and “your speed” radar feedback signs in January and June 2009
- installation of “begin center lane—left turns only—do not pass” signs in December 2009

Average 85th- and 50th-percentile speeds were measured through the reduced speed zone at 56 and 52 mph, 57 and 52 mph, and 55 and 51 mph, for February 2008, September 2008, and October 2009, respectively. The vehicle code and California MUTCD guidance requires that the Department set the speed limit at the nearest 5-mph increment to the measured 85th-percentile speed. The Department can then reduce that speed by 5 mph (and no more) if there are site-specific considerations such as conditions not readily apparent to drivers, a high collision rate, dense roadside development, or pedestrian and bicyclist safety issues. In the case of Gasquet, this 5-mph reduction was applied because of the presence of pedestrians and bicyclists along the highway.

The Hiouchi E&TS which sets the speed limit at 50 mph was renewed in February 2008 and is due for renewal in February 2015. The field-measured average 85th-percentile speed was 54 mph. Both the frequency and severity (total and fatal + injury) of collisions in the speed zone were below statewide averages, although not as far below as that of Gasquet and the segments just to the north and south. Also similar to Gasquet, a 5-mph reduction was applied because of the presence of pedestrians and bicyclists along the highway.

There are many reasons for setting the speed limit close to the 85th-percentile on any given segment of highway. Setting a speed zone far below prevailing speeds encourages disrespect for the law and makes a large number of drivers “violators,” when in fact they are operating their vehicles in a reasonable manner. Also, an artificially low speed limit sets up a radar-unenforceable “speed trap,” which is contrary to vehicle code requirements.

Further, the basic intent of a speed zone is to influence as many drivers as possible to operate at or near the same speed, thus reducing conflicts created by wide differences in operating speeds. The goal is to ensure the safe and orderly movement of traffic as much as possible. A speed

limit set much below the 85th-percentile defeats this purpose because while some drivers are “rule followers” and will always observe the posted limit, most drivers will “drive the road” at the speed they believe is reasonable and safe. For more information about the requirements of the California Vehicle Code and how speed zoning is conducted, the booklet “Realistic Speed Zoning” is a useful resource, available online at <http://www.dot.ca.gov/dist05/traffic/Realistic-Speed-Zoning.PDF>.

The Department will follow the law and established policy in setting speed zones that ensure the safe and orderly movement of traffic on state highways. This includes continuing to work in consultation with local agency and community transportation groups and in concurrence with the California Highway Patrol.

Collisions

On the subject of how Caltrans typically responds to collisions, design and traffic standards have evolved over a period of many years; consequently, many existing roads do not fully conform to current standards. It is not economically feasible to upgrade all roads to current standards, and in many cases the environmental impacts would be so great that the Department must weigh potential impacts versus potential safety concerns, where the environmental impacts may make it infeasible to bring the facility to current standards. Therefore, Design Exceptions are considered and granted where appropriate. See Response to Environmental Protection Information Center’s Comments 8, 14, and 16 for further discussions on design exceptions.

The Caltrans Highway Safety Improvement Program (HSIP) was developed to identify and prioritize locations where it is economically feasible and practical to upgrade existing roads where concentrations of collisions have occurred. The program provides a system that ensures that the limited funds available for upgrading existing roads will be spent at locations where it will result in the greatest safety benefit to the highway user.

The purpose of this program is to reduce the number and severity of fatal and injury traffic collisions. The California Highway Patrol (CHP) provides the Department with collision information for each reported collision on the state highways. The locations and details of the reported collisions that occur on the state highways are processed by the Traffic Accident Surveillance and Analysis System (TASAS).

Using TASAS, a quarterly report, the Department identifies locations that have a statistically high concentration of collisions. The Department’s Traffic Safety Office then receives the list of these locations and performs an investigation. Each investigation reviews the history of the collisions and the specific characteristics of the roadway at that location, and if deemed necessary, recommends an improvement. Each investigation and the recommended improvement(s) are then reviewed by one more Traffic Safety Investigator and the Chief of Traffic Safety. If an improvement is recommended, the work is done by either Department maintenance forces or by initiating a project.

Some comments request clarification regarding a statement in the DEIR/EA that says that safety improvements can be considered when accident rates reach 1.5 times the national average for similar road conditions, particularly requesting clarification for “similar road conditions” and

what the Department compared SR 197/US 199 to for National Average ratings. An important clarification is that collision rates are not compared to the “National Average”, rather they are compared to the Statewide Average Collision Rates for Similar Facilities. The term “Similar Facilities” means that the characteristics of the highway are comparable. In order to make this comparison, every state highway segment, ramp and intersection is classified by a rate group. For example, Highway 197 is classified as highway rate group H03 (intersection rate groups are separate), which is described as “conventional, 2 lanes or less”, “rolling terrain”, “rural”, and with a design speed of 55mph or less. Highway 199 is described by many highway segment rate groups (intersection and ramp rate groups are separate) because the characteristics of the highway vary from location to location along the length of the highway (Table 1).

Table 1. Highway 199 Rate Groups (Highway only) and Characteristic Descriptions

Rate Group	Highway Type	Terrain	Design Speed	Area
H05	Conventional 2 Lanes or Less	Mountainous	Less than or Equal to 55 mph	Rural
H12	Conventional 3 Lanes			Rural
H34	Divided 4 Lanes	Rolling/Mountainous		Rural
H04	Conventional 2 Lanes or Less	Rolling	Greater than 55 mph	Rural
H03	Conventional 2 Lanes or Less	Rolling	Less than or Equal to 55 mph	Rural
H17	Expressway 3 Lanes or Less	Mountainous		Rural
H45	Divided Expressway 4 Lanes or More		Less than or Equal to 65 mph	Rural
H22	Undivided 4 Lanes	Rolling/Mountainous		Rural
H06	Conventional 2 Lanes or Less	Mountainous	Greater than 55 mph	Rural

A collision report was run on the highway segment and intersections in Gasquet for PM 13.0 to 14.27 for the most current 5-year period of 10/1/2004 – 9/30/2009. For the 1.27-mile segment, the actual collision rate was 0.53 collisions per million vehicle miles (COL/MVM), which is 2.1 times less than the statewide average rate of 1.12 COL/MVM for similar roadways.

For the intersection at Gasquet Flat Rd, the actual collision rate was 0.16 collisions per million vehicles (COL/MV), which is approximately 1.3 times less than the statewide average rate of 0.20 COL/MV for similar intersections. Firehouse Road had an actual collision rate of 0.00 COL/MV. Middle Fork Gasquet Road had an actual collision rate of 0.32 COL/MV, which is 1.6 times greater than the statewide average rate of 0.20 COL/MV for similar intersections. This rate is not considered significantly elevated. Also, all three intersections had fatal+injury (F+I) collision rates of 0.00 COL/MV compared to the statewide average F+I rate of 0.08 COL/MV for similar intersections.

Consideration of Safety Improvements is not as simple as comparing the collision rate at a particular location to the statewide average collision rate for similar facilities. If deemed necessary, safety improvements are recommended after an investigation is performed. There are multiple ways an investigation is initiated as follows:

1. Monitoring Programs to identify collision concentration locations
2. Other notices such as letters, emails, phone calls etc. that direct the engineer’s attention to the suggested problem location

3. Internal Correspondence

Increased Truck Traffic

Many comments were concerned that the increase in truck traffic associated with this project would cause an increase in safety concerns. The Department does not anticipate an increase in collisions, and offers a similar project as an example.

The “Big Lagoon STAA Project” (EA 01-46470) was completed in March of 2008. This project served the same purpose as this proposed project; to safely convey STAA trucks and improve the facility for all users. The Big Lagoon STAA Project location is similar to these proposed project locations, along the rural Big Lagoon coastline of Highway 101 in Humboldt County from PM 111.7 to PM 112.1.

To determine the effects of the Big Lagoon STAA Project on safety, we have retrieved collision information for the same length of time both before and after project construction. Construction on the Big Lagoon STAA Project started on 10/29/2007 and was completed on 2/29/2008. The most recent collision information available is through 3/31/2011 (37 months total). To compare to before construction, we retrieved 37 months of collision information from 9/30/2004 to 10/29/2007.

Before construction there were a total of 10 collisions (2 injury, 0 fatal) within the project limits, and after there were a total of 7 collisions (1 injury, 0 fatal). Before construction there were 2 truck and trailer collisions, after there was 1 truck and trailer collision.

Using this before-and-after comparison we can say that since the STAA improvements were constructed at Big Lagoon, the injury and truck collisions have decreased by 50%. Therefore, we expect no increase in collisions related to the 197/199 Safe STAA Access Project improvements. The Big Lagoon STAA Project has had a positive effect on safety, by reducing the number of total, injury, and truck collisions. Similar results are expected on this proposed project.

Please see Chapter 1, Section 2.1.3 (Community Impacts), Section 2.1.5 (Traffic and Transportation/Pedestrian and Bicycle Facilities), Section 2.5 (Cumulative Impacts), Section 3.2.1 (Less-than-Significant Effects of the Proposed Project), and Section 3.2.2 (Significant Effects of the Proposed Project) of the Draft and Final EIR/EA for more information.

No revisions to the Draft EIR/EA are necessary.

2.9 Grouped Comment #9: DEIR/EA Traffic Study Makes Erroneous and Misleading Calculations

Several comments stated that the traffic study prepared for the DEIR/EA made erroneous and misleading calculations. The comments addressed questions about the analysis methodology and the survey results.

2.9.1 Grouped Response #9: DEIR/EA Traffic Study Makes Erroneous and Misleading Calculations

The project team followed standardized, accepted methods in determining the number of additional daily trucks, including the potential for latent and induced demand (see Section 2.1.5.2 in the DEIR/EA and starting on printed page 5 in the Traffic Analysis Report, Fehr and Peers 2010). The estimated additional daily trucks were calculated from the data derived from the detailed surveys (latent demand), induced growth, background growth, and induced travel. The data is based on detailed surveys, historical growth, and research. For clarification, the estimated additional daily truck traffic from the traffic analysis is 8.25 round-trips or, in other words, 17 trucks per day (see DEIR/EA Section 2.2.4.3 and printed page 10 in the Traffic Analysis Report, Fehr and Peers 2010). The purpose of the traffic analysis was to determine the traffic operation impacts due to the potential increase in truck traffic. Standard transportation analysis practice is to determine traffic conditions under the “worst typical case” so that potentially significant impacts are not overlooked merely because of daily fluctuations in traffic. In this case, the additional wood-products truck was added because on a busy day, the analysis indicated that an additional wood product truck could be on the road, which could have potential traffic impacts. On many days this truck would not be present and would not lead to any traffic impacts.

In response to the claim of inflated numbers, the purpose of the traffic analysis was to address the “worst case” traffic conditions to adequately ensure that potential traffic impacts from the project were identified. The estimation of latent demand was based on survey data and assumptions based on the survey data that was received. While the estimated increase in trucks is conservative, they are not unsupported – they are based on survey data and conservative assumptions based on retailers/general shippers not responding to survey requests, not being able to provide further information, or not being able to quantify how often they shipped.

The results of the traffic impact analysis are presented in Section 2.1.5.3 of the Draft EIR/EA, starting on page 2.1-71. A more detailed description of the methodology is in the Traffic Analysis Report (Fehr & Peers 2010); however, the results and conclusions are summarized in the Draft EIR/EA.

No revisions to the Draft EIR/EA are necessary.

2.10 Grouped Comment #10: Proposed Cut Slopes and Geologic Stability

Several comments express concern that cut slopes proposed for the project would be geologically unstable or worsen geologic instability. Comments also requested data on rockslides and the proposed cut slope areas.

2.10.1 Grouped Response #10: Proposed Cut Slopes and Geological Stability

The quantity of material to be excavated at each cut slope area is stated in section 1.3.2, Project Alternatives section of the DEIR/EA. Type of rock/material to be excavated, along with other geologic background information, is presented in section 2.2.3.2 of the DEIR/EA. Preliminary geotechnical reports prepared for the project are listed on page 2.2-17 of the Draft EIR/EA and are available for review at the Department's District 1 office located at 1656 Union Street, Eureka, CA and at the public library in Crescent City. For the proposed cut slopes at the Narrows, Patrick Creek Narrows Location 2, and Washington Curve, Geotechnical staff conducted site reviews, as discussed in the preliminary geotechnical reports prepared for the project. Staff reviewed existing conditions at and near the proposed cut slopes at the three locations and determined that any potential increase in rock fall would be mitigated with cable mesh drape or other rock fall mitigation (to be determined during the design phase of the proposed project), or that the proposed engineered cut slopes are not anticipated to result in increased landslides or rock fall due to the slope material and/or the engineering design of the proposed slope cuts. In summary, Geotechnical staff do not anticipate an increase in landslides or rock fall due to the proposed project, based on knowledge of existing conditions and proposed engineering of the cut slopes and rock fall mitigation. Potential geologic impacts were found to be less than significant and not substantially adverse.

During the design phase of the project, the Department Office of Geotechnical Design North will perform further detailed field investigations and analyses of the existing and proposed cuts. A systematic approach for evaluating the potential for rockfall associated with proposed cuts, the Rockfall Hazard Rating System, will be utilized in order to reduce the risks associated with rockfall. This level of field investigation does not typically happen until after the environmental document is finalized and signed because alternatives need to be analyzed and circulated for public comment, and the public must be afforded the opportunity to suggest additional alternatives.

The comments also suggest that rock fall from slope cuts cannot be mitigated using rock nets and that the Department needs to provide data to support the proposal that rock nets would mitigate rock fall. Cable drapes act like blankets that hold rock against the slope, to reduce the number of rocks that are susceptible to falling, and slow the pace of falling rock. Since the existing cut slopes already exhibit rock fall, and rock fall is a safety concern of the Department and the public, it is responsible to design rock fall mitigation measures, if needed, for new cut slopes. A discussion of methods to reduce the potential for rock fall is included in section 2.2.3.3 in the DEIR/EA, under Potential for Erosion, Landslide, and Rock Fall on page 2.2-22.

The three cut slope areas that had the greatest potential for geologic instability and rock fall if excavation was conducted, including the cut slopes at Patrick Creek Narrows Locations 1 and 3 and a portion of the slope at Patrick Creek Narrows Location 2 that would have been part of the cut slope excavation for the Upstream Bridge Replacement Alternative and the Bridge Preservation Alternative, were recommended to be avoided by the Department's Geotechnical Engineers prior to development of designs in the DEIR/EA to avoid exacerbating geologic instability in these specific areas (see Preliminary Geotechnical Report, Patrick Creek Narrows, dated April 2009). Recommended avoidance of these slopes resulted in the Department's Design Engineers developing plans that would avoid excavation in these areas. For Patrick Creek

Narrows Locations 1 and 3, excavation of the cut slopes was avoided by widening towards the river with retaining walls (see DEIR/EA Sections 1.3.2.3 and 1.3.2.5). For Patrick Creek Narrows Location 2, the unstable portion of the cut slope was avoided by selecting the Downstream Bridge Replacement Alternative as the selected preferred alternative, after circulation of the DEIR/EA, review of public comments, and agency coordination. This was the only alternative in the DEIR/EA for this location that avoided excavating the unstable portion of the cut slope because this alternative required less of a slope cut, including avoidance of the unstable area that is close to the existing bridge, to achieve an alignment that is downstream of the existing bridge (see DEIR/EA Section 1.3.2.4).

Requests for data regarding rockslides do not specifically address the DEIR/EA. Specific requests for data in specific locations may be requested through a California Public Records Act Request by contacting the Department's District 1 office at 707-445-6600.

No revisions to the Draft EIR/EA are necessary.

Chapter 3 Specific Responses to Public Comments on the Draft Environmental Impact Report/ Assessment

This chapter is organized as follows:

- 3.1 Public Agencies and Governments
- 3.2 Organizations
- 3.3 Individuals
- 3.4 Public Meeting Transcript
- 3.5 Form Letter

3.1 Public Agencies and Governments

Six public/government agencies submitted comments in response to the Draft EIR/EA. The index to these agencies, their comments, and responses are below.

- California Department of Fish and Wildlife
- California Regional Water Quality Control Board, North Coast
- California State Lands Commission
- Del Norte Local Transportation Commission
- National Marine Fisheries Service - National Oceanic and Atmospheric Association
- North Coast Unified Air Quality Management District

State of California
Department of Fish and Game

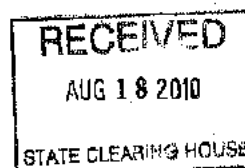


Memorandum

Date: August 13, 2010

To: Ms. Kim Hayler, Associate Environmental Planner
California Department of Transportation – District 1
Post Office Box 3700
Eureka, CA 95502-3700

Late
Clear
08/12/10
e



From: NEIL MANJI 
Regional Manager
Department of Fish and Game
601 Locust Street
Redding, CA 96001

Subject: **Draft Environmental Impact Report (SCH #2008082128) for the 197/199 Safe STAA Access Project, Del Norte County**

On July 1, 2010, the Department of Fish and Game (DFG) received from the California Department of Transportation (Caltrans) a draft environmental impact report/environmental assessment (DEIR) for the proposed 197/199 Surface Transportation Assistance Act project (project). The project would provide safety improvements to State Route 197 (SR 197) and US Route 199 (US 199) in Del Norte County.

The project combines five projects previously identified and proposed separately that share the same general improvement purpose. The five projects are known as Ruby 1, Ruby 2, Patrick Creek, The Narrows, and Washington Curve. The project locations, listed by highway post miles, are: Ruby 1 on SR 197 at Post Mile (PM) 4.5; Ruby 2 on SR 197 at PM 3.2-4.0; Patrick Creek Narrows on US 199 at three locations between PM 20.5-20.9, PM 23.92-24.08, and PM 25.55-25.65; The Narrows on US 199 at PM 22.7-23.0; and Washington Curve on US 199 at PM 26.3-26.5. Post miles for US 199 start at the intersection with US 101. Post miles for SR 197 starts at the intersection with US 199. Improvements at the Patrick Creek Narrows site include bridge replacement over the Middle Fork of the Smith River.

As a trustee for the State's fish and wildlife resources, DFG has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and the habitat necessary to sustain their populations. As a responsible agency, DFG administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. DFG offers the following comments and recommendations on this project in our role as a trustee and responsible agency under the California Environmental Quality Act (California Public Resource Code §21000 *et seq.*).

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Smith River and Patrick Creek

The Smith River is a State- and federally-designated Wild and Scenic River and is of regional and national significance because of its relatively pristine condition and undammed status. The Smith River is habitat for Chinook salmon (*Oncorhynchus tshawytscha*), steelhead (*O. mykiss*), and the State- and federally-listed coho salmon (*O. kisutch*), as well as a number of Species of Special Concern (SSC). Problems facing anadromous salmonids in the Smith River include amount of available habitat, degraded condition of riparian vegetation, poor large woody debris (LWD) recruitment, altered estuarine environment, excess sediment, compacted stream gravels, and fish passage barriers.

Take of Coho Salmon

The DEIR is contradictory in its assessment of impacts to coho salmon. DEIR page 2.3-67, states that coho salmon "may be inadvertently killed by construction activity" and the project is "likely to adversely affect coho salmon." However, DEIR Table S.1 indicates that the Patrick Creek Narrows Location 2 bridge replacement will have "no adverse impacts" on threatened and endangered species. DFG recommends, Table S-1 in the final EIR be corrected to indicate the project's adverse affects to coho salmon. 1

The Patrick Creek Narrows Location 2 site proposes bridge replacement across the Middle Fork Smith River on US 199. The DEIR describes a number of potential scenarios to construct a new bridge and demolish the existing bridge. DFG and National Marine Fisheries Service (NMFS), in partnership with Caltrans, continue to evaluate and analyze which bridge construction and demolition strategies are least likely to impact the Smith River and most likely to minimize the take of listed species such as coho salmon. However, in all construction scenarios evaluated thus far, DFG, the NMFS, and Caltrans have agreed that this project will result in the take of coho salmon due to instream channel work. 2

DFG agrees with the DEIR that Caltrans should request a consistency determination from DFG pursuant to FGC §2080.1 for the take of coho salmon. Caltrans should continue to work closely with DFG and NMFS staffs to insure the federal biological opinion and incidental take statement are consistent with the requirements of CESA.

Pursuant to FGC §2081(b), the impacts of authorized take shall be minimized and fully mitigated. One potential means to fully mitigate for take of coho salmon is to improve fish passage at upstream tributaries to the Middle Fork Smith River or to provide other habitat restoration and enhancements. DFG recommends that Caltrans continue to work closely with DFG and NOAA to identify suitable project sites to fully mitigate for the take of coho salmon.

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Biological Study Area

Numerous DEIR sections and tables refer to the projects' Biological Study Area (BSA). However, the DEIR does not appear to map or otherwise describe the BSA location. DFG recommends the final EIR include a map or description of the BSA.

3

Ruby 2 Build Alternatives and Removal of Old-growth Redwoods

The DEIR presents three build alternatives for widening a section of SR 197 at the Ruby 2 site. DFG supports the build alternative that includes two-foot shoulders in spot locations because this alternative would preserve old-growth trees by avoiding removal of redwood trees with diameters at breast height greater than 36 inches.

4

Salvage of Large Woody Debris

This project has the potential to remove a number of large conifer trees and old-growth redwood stumps during construction. These tree boles (especially if root wads are left attached) and stumps could provide LWD to be used for placement in DFG fish habitat restoration projects. DFG recommends Caltrans consult with DFG before construction begins to assess salvage options for large stumps and tree trunks to be used for ongoing and future stream restoration projects in Del Norte County.

5

Impacts to Sensitive Plant Species

The DEIR describes likely project impacts to a number of non-listed sensitive plant species. Transplantation and seed collection and reseeding, are discussed in the DEIR as an experimental mitigation measure to assist in the reintroduction of these species into project sites disturbed by construction activities. As discussed in the DEIR, sensitive plant transplantation efforts are documented as having a low success rate. Despite its experimental nature and likelihood for success, DFG finds efforts to collect and reestablish, soil, seed, and other plant propagules at areas impacted by the project is appropriate given that the project will primarily result in construction-related disturbance to sensitive plant habitats as opposed to the loss and conversion of these habitats.

6

DEIR Section 2.3 page 44 appears to have an important discrepancy regarding the magnitude of impacts to the sensitive plant *Cardamine nuttallii* var. *gemmata* (yellow-tubered toothwort) at the Patrick Creek Narrows Location 2 site. *Cardamine nuttallii* var. *gemmata* has a State ranking of "S2.2" and a California Native Plant Society ranking of "1.B", meaning that it is considered very rare in California and throughout its global range. The DEIR states that the population at this site consists of 1,000-2,000 plants.

7

Through meetings with Caltrans staff and from information elsewhere in the DEIR, DFG understands that approximately 5-10% of the population in the project area will be impacted by the project. However, two build alternatives described on DEIR page 44, Section 2.3, estimate that less than 90-95% of these plants would be removed.

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This statement indicates that up to 90-95% of the *Cardamine nuttallii* var. *gemmata* plants at this site will be impacted or taken. DFG believes that this section should indicate that that up to 5-10% of the plants at this site will be impacted or taken.

7
cont.

If DFG is correct in this interpretation, the final DEIR should consistently indicate this lower amount of impact to this species. If DEIR Section 2.3 page 44 is accurate, and up to 90-95% of the plants at this site would be removed, then DFG recommend that Caltrans re-consult with DFG to develop additional mitigations for impacts to this species.

Invasive Plant Species

The DEIR proposes implementing a three-year invasive weed control program as another means to mitigate for impacts to sensitive plant species. DFG supports the use of invasive species management and eradication plans as a means to mitigate for impacts to sensitive plants and natural communities.

Acacia dealbata (silver wattle) stands occur within or adjacent to the project area near Hiouchi and elsewhere on US 299. This plant is not targeted as an invasive species to be managed or eradicated, or included in Table 2.3.6-1 Invasive Plant Species Observed in BSA. It appears *Acacia dealbata* is not documented within the project BSA.

8

The California Invasive Plant Council (Cal-IPC) has created the California Invasive Plant Inventory (Inventory) to categorize non-native invasive plants that threaten the state's wildlands. Categorization is based on an assessment of the ecological impacts of each plant. The inventory represents the best available knowledge of invasive plant experts in the state. The Cal-IPC inventory threat category for *Acacia dealbata* is "Moderate." Species with this designation have "substantial and apparent—but generally not severe—ecological impacts on physical processes, plant and animal communities, and vegetation structure. Their reproductive biology and other attributes are conducive to moderate to high rates of dispersal, though establishment is generally dependent upon ecological disturbance."

DFG recommends Caltrans assess the occurrence of *Acacia dealbata* within its SR 197 and US 199 right-of-ways and include this species in its area invasive weed control program.

Bats

Populations of many bat species in California, North America, and globally are declining and currently approximately 25% of the global bat fauna are listed as threatened by the International Union for Conservation of Nature. In California, 12 of 25 bat species are either SSC, USDA Forest Service Sensitive, or Federally Endangered. California Natural Diversity Database records show an occurrence of silver-haired bat (*Lasiurus noctovagens*) near the Patrick Creek project site. Colonies of other species of bats may also occur in the project area. The DEIR states that bat surveys were conducted in the BSA for this project and no bats of any species were detected. Since bat colonies can change roosting and natal sites from

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Ms. Kim Hayler, Associate Environmental Planner
August 13, 2010
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year to year. DFG recommends that bat surveys be conducted in May of each year prior to commencement of work at the Middle Fork Smith River Bridge and at other natural features providing habitat for bats. Mitigation measures should be developed in consultation with DFG if a bat colony is identified within the project impact area.

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cont

Although the present Middle Fork Smith River Bridge does not currently support a bat colony, this bridge provides a good bat roosting or natal site because of its location in a large riparian corridor surrounded by extensive conifer forests. According to the 1999 report initiated by the Federal Highway Administration (FHA), *Bats in American Bridges*, "only one percent of American bridges have ideal conditions for day roosting, but at little or no extra cost a much larger percentage could provide habitat for bats in the future." According to this report, bat species preferably roost on concrete bridges with sealed crevices that are 10 feet or more above the ground or water. The new bridge proposed for this site will be constructed of concrete and will have a height well over 10 feet above the ground and river. Thus, pursuant to the 2004 Caltrans report, *California Bat Mitigation Techniques, Solutions, and Effectiveness*, and the above-mentioned FHA report, DFG recommends the new bridge proposed at this site be designed and maintained to provide for bat roosting habitat.

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If you have any questions or comments regarding this matter, please contact Staff Environmental Scientist Gordon Leppig at 619 Second Street, Eureka, California 95501 or telephone (707) 441-2062

cc: Ms. Kim Hayler
California Department of Transportation
kimberly_hayler@dot.ca.gov

Mr. Arthur Reeve
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Messrs. William Condon, Gordon Leppig, Michael van Hattem, and
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Responses to California Department of Fish and Wildlife (CDFW)

Response to Comment 1

This comment states that the EIR/EA should be clarified to make the Summary table consistent with the text with regard to the anticipated impacts to coho salmon stated in Chapter 2.3 of the DEIR/EA. The Department selected the Downstream Bridge Replacement as the preferred alternative for Patrick Creek Narrows Location 2, with the concrete arch bridge being the preferred design option, after reviewing public comments and coordinating with resource agencies (see Section 1.3.7.3 in the FEIR/EA). After circulation of the DEIR/EA, the Department determined that the proposed bridge replacement, with a concrete arch bridge, at Patrick Creek Narrows Location 2 could be constructed so that no heavy equipment and minimal temporary foot traffic would occur within the wetted channel, and there would be no water diversion, further reducing the effects of this alternative. Since there would be no work in the wetted channel under the selected preferred alternative and bridge design option, there will be no lethal take of coho salmon. CDFW staff concurred with this assessment during a Level 1/Level 2 meeting held in January 2012 and stated that there was no need for a consistency determination since there would be no lethal take of coho salmon during construction (see FEIR/EA Section 4.3.2.2).

Revisions to the Draft EIR/EA Section 2.3.5.3 were made to reflect that no work will be conducted in the wetted channel and that there will be no lethal take of coho salmon at Patrick Creek Narrows Location 2.

Response to Comment 2

This comment correctly states that the Department, CDFW, and NMFS agreed, prior to circulation of the DEIR/EA, that the proposed instream work (i.e., work in the wetted channel) to replace the bridge at Patrick Creek Narrows Location 2 would result in take of coho salmon. See Response to CDFW Comment 1 for a discussion of how the Department came to conclude that there would be no lethal take of Coho salmon; also see that response regarding CDFW's statement that there was no need for a consistency determination.

Avoidance and minimization measures for coho salmon were included in Section 2.3.5.4 of the DEIR/EA and were updated in the FEIR/EA to reflect that the Department has now committed to no diversions or heavy equipment work in the wetted channel of the Middle Fork Smith River at Patrick Creek Narrows Location 2.

Revisions to the Draft EIR/EA Section 2.3.5.3 were made to reflect that no work will be conducted in the wetted channel and that there will be no lethal take of coho salmon at Patrick Creek Narrows Location 2.

Response to Comment 3

In section 2.3.3.1 Affected Environment, the Biological Study Area (BSA) is defined and the "area of direct impact" is also defined. The BSA includes the entire Smith River Watershed, since coho salmon, marbled murrelet, northern spotted owl, and other special status resources are known to move within this area. The Smith River Watershed is within and/or adjacent to the project locations; it is used as a migration corridor, and provides habitat for special status animal species. The proposed area of direct impact (hereafter referred to as area of direct impact) is

defined as the area within each of the seven proposed project locations, including Ruby 1, Ruby 2, The Narrows, Patrick Creek Narrows Locations 1, 2, and 3, and Washington Curve in Del Norte County, California, where construction activities are anticipated to affect the surrounding physical environment, generally through disturbance to vegetation and/or the ground/soil surface.

Response to Comment 4

This comment expresses support the Two-Foot Widening at Spot Locations alternative for Ruby 2 in order to preserve more old growth trees. This comment has been noted and no changes to the Draft EIR/EA are necessary.

Response to Comment 5

This comment suggests that the Department consult with CDFW prior to construction activities regarding the use of removed large tree stumps as fish habitat in Del Norte stream restoration projects. The Department recognizes the importance of continuing consultation with the CDFW. This comment has been noted and no changes to the DEIR/EA are necessary.

Response to Comment 6

This comment reiterates a portion of the DEIR/EA that describes impacts to non-listed sensitive plant species as well as experimental mitigation involving transplanting. Although this method has been documented with a low success rate, CDFW believes that these efforts are appropriate. This comment has been noted and no changes to the DEIR/EA are necessary.

Response to Comment 7

This comment suggests that the text in Section 2.3 (i.e., Section 2.3.3.3, page 2.3-44) of the DEIR/EA has two possible interpretations regarding the number of yellow-tubered toothwort plants that would be affected by construction at Patrick Creek Narrows Location 2 for the Downstream Bridge Replacement Alternative and Bridge Preservation with Upslope Retaining Wall Alternative. Text in the DEIR/EA states that approximately 10% and 5% of the yellow-tubered toothwort plants occurring at the site would be affected by the Downstream Bridge Replacement and Bridge Preservation Alternatives, respectively. Further in the respective paragraphs, the text states that less than 90% and 95% of these plants would be removed. The Department agrees that the text in these paragraphs was confusing and made corrections to clarify the potential effects to this sensitive species. The text on page 2.3-43 of the Recirculated DEIR/EA maintains that the Downstream Bridge Replacement Alternative, which is the selected preferred alternative, would affect approximately 10% of the yellow-tubered toothwort population, and the Bridge Preservation Alternative would affect approximately 5% of the plants. The text clarifies that approximately 100-200 of the plants would be removed under the Downstream Bridge Replacement Alternative, and no more than 5% of the 1,000-2,000 plants would be removed by the Bridge Preservation Alternative.

Response to Comment 8

This comment recommends that the Department assess the occurrence of *Acacia dealbata* (silver wattle), an invasive plant species, within the Department's right of way on SR 197 and US 199 and include this species in the proposed invasive weed control program. No occurrences of this species were observed during botanical surveys for the seven proposed project locations. The Department will conduct invasive plant removal.

Response to Comment 9

Since bat colonies can change roosting and natal sites from year to year, bat surveys will be conducted in May of each year prior to commencement of work at the Middle Fork Smith River Bridge and at other natural features providing habitat for bats. Mitigation measures will be developed in consultation with CDFW if a bat colony is identified within the project impact area. Changes were made in the FEIR in section 2.3.4.4 to reflect this.

Response to Comment 10

The Department agrees with the CDFW on the importance of providing bat habitat when possible. The new bridge proposed at this site will be designed and maintained to provide for bat roosting habitat. Revisions to bat roosting habitat were made in the Final ED in sections 2.3.4.2 (Affected Environment) and 2.3.4.3 (Environmental Consequences). The following paragraphs are included in the FIER/EA Section 2.3.4.4:

Conduct Pre-Construction Surveys for Bats

Measures will be implemented to minimize impacts on bats that may be present in the work area. Bat surveys will be conducted in May of each year of work at the Middle Fork Smith River Bridge and at other natural features providing habitat for bats, a qualified biologist will survey for bats in the area. If a bat colony is identified within the project impact area, mitigation measures should be developed in consultation with CDFW.

Provide Roosting Habitat for Bats

Surveys determined there was evidence of night-roosting bats at the Middle Fork Smith River Bridge. The new bridge will provide equivalent habitat. In addition, bat roosts will be installed on the bridge in appropriate locations to provide additional bat roosting habitat.

California Regional Water Quality Control Board



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board
North Coast Region
Geoffrey M. Hales, Chairman

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Arnold
Schwarzenegger
Governor

August 23, 2010

Ms. Kim Hayler
State of California
Department of Transportation
P.O. Box 3700
Eureka, CA 95502

Dear Ms. Hayler:

Subject: Comments on the Proposed Environmental Impact Report for the 197/199
Safe STAA Access Project, SCH 2008082128

Thank you for the opportunity to comment on the Environmental Impact Report for the 197/199 Safe STAA Access Project. The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this project, with jurisdiction over the quality of ground and surface waters (including wetlands) and the protection of the beneficial uses of such waters.

The proposed project consists of the construction of seven spot improvements on State Route 197 and U.S. Route 199. The Ruby 1 and Ruby 2 spot improvements would lengthen highway shoulders from 0 to 1 foot in size, and extend the existing culverts and add drain inlets Ruby 1 project area. The Patrick Creek Narrows Project 1 would consist of highway widening and improvements as well as a six foot retaining wall on the Patrick Creek side of the project. The Patrick Creek Narrows Project 2 would consist of upstream and downstream bridge replacement as well as road widening and permanent rock fall mitigation. The Patrick Creek Narrows Project 3 would increase shoulder width of highway by four feet, add a 135 foot wall on the river side, and lengthen existing culverts. The Narrows Project would widen the existing lanes to 12 feet with a 2 foot shoulder. Widening would be accomplished by excavating into cut slope. This project would also include a 1 foot wide drainage ditch and the addition of a longer culvert. The Washington Curve Project would consist of excavating a new slope on the cut slope side of the roadway and a shoulder widening of 2 to 6 feet.

The proposed 197/199 STAA Access project includes grading and tree removal that may disturb sediment and remove riparian vegetation impacting the surrounding watershed. The Regional Water Board wants to ensure that impacts to water quality

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from the project are avoided, minimized, and mitigated as needed. Our comments outline general water quality issues that need to be addressed in any forthcoming environmental review documents. Please consider these recommendations as guidelines for preparing a California Environmental Quality Act (CEQA) document that properly addresses water quality concerns.

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The federal antidegradation policy requires that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. Therefore, the proposed project must provide adequate treatment to all increases in impervious surfaces and adequate mitigation for all temporary and permanent impacts to waters of the State. Some examples of waters of the State are: rivers; creeks (seasonal and intermittent); headwater creeks; wetlands (seasonal, marshes and tidal); estuaries; isolated wetlands; vernal pools; ponds; lakes; springs; grassy swales (creek tributaries); and some drainage ditches.

Surface Waters

Individual stream and wetland systems are part of complete aquatic ecosystems through interaction of surface and subsurface hydrologic connections, healthy systems perform functions that protect and enhance watershed-wide water quality. In addition, surface waters provide habitat that supports a variety of plant and animal life for rare and endemic species. Riparian areas between streams and wetlands and their adjoining environments play critical roles in protecting and enhancing water quality. An important tool for reducing and avoiding impacts to surface waters is the implementation of a buffer area of native and riparian vegetation between any construction activities or structures and surface waters. If permanent impacts to wetlands and streams are part of the proposed project then mitigation will be required.

2

The type, location and timing of mitigation to be implemented will greatly influence the ratio required. Bank credits and mitigation sites established prior to initiation of the project will require much lower ratios than plans that propose off-site or post-construction mitigation; in-kind mitigation is preferred and usually required. In addition, projects that have temporary impacts to resources for an entire construction season or longer may be required to mitigate at a higher ratio for the temporal loss of functions and values. Revegetation plans should present at a minimum the site locations, types of seeds and plants to be used, and methods of implementation. Mitigation plans should at least specify locations (on-site, off-site, bank credits, etc.), area/amount of mitigation, methodology, and timeframe. Also, site specific implementation details,

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success criteria, and adequate monitoring and reporting are essential for approvable plans.

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The Regional Water Board and the United States Environmental Protection Agency (EPA) recommend a *minimum* setback of 100 feet from the top of bank of a stream, watercourse or the edge of a wetland. The project should delineate buffer zones of at least 100 feet for all perennial and seasonal surface waters. Setbacks should be vegetated and undisturbed or enhanced with native plants. Please be aware that disturbance to waters of the State require permitting from this agency. Permanent and temporary impacts to riparian areas will require appropriate mitigation. Riparian vegetation provides numerous functions to improve water quality and its beneficial uses, including but not limited to shade and sediment retention. In general the mitigation, as related to water quality, should be designed to mitigate the loss of those specific functions lost.

Storm Water

The 197/199 Safe STAA Access should identify Best Management Practices (BMPs) to prevent storm water runoff from carrying pollutants from the site offsite or to waters of the state. The Regional Water Board requires the use of Low Impact Development (LID) and BMPs that treat and retain (infiltrate, capture and store) storm water runoff on the project site. We have included a list of LID resources for your reference.

3

LID is a development site design strategy with a goal of maintaining or reproducing the pre-development hydrologic system through the use of design techniques to create a functionally equivalent hydrologic setting. LID emphasizes conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-development hydrologic functions. Hydrologic functions of storage, infiltration, and ground water recharge, as well as the volume and frequency of discharges, are maintained through the use of integrated and distributed storm water retention and detention areas, reduction of impervious surfaces, and the lengthening of flow paths and runoff time. LID seeks to mimic the pre-development site hydrology through infiltration, interception, reuse, and evapotranspiration. LID requires that the storm water runoff volume from small storms be retained onsite.

Other LID strategies include the preservation and protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable trees, flood plains, woodlands, native vegetation and permeable soils. Natural vegetation and soil filters storm water runoff and reduces the volume and pollutant loads of storm water runoff. Other benefits from LID implementation include reducing global warming impacts from new development (preserving carbon sequestering in native soils and retaining native vegetation), increasing water supply (by encouraging ground water recharge) and reducing energy consumption.

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LID requires the use of landscape-based BMPs that filter storm water runoff using vegetation and amended soil prior to infiltration. Examples of these types of BMPs are rain gardens and vegetated swales. LID BMPs need to be sized to treat the storm water runoff from all impervious surfaces (e.g. roads, roofs, walkways, patios) using the following sizing criteria:

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1. The volume of runoff produced from the 85th percentile of 24-hour rainfall event, as determined from the local historical rainfall record; or
2. The volume of runoff produced by the 85th percentile 24-hour rainfall event, determined using the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, p. 170-178 (1998); or
3. The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Storm Water Best Management Practices Handbook-Industrial/Commercial (1993).

BMPs to prevent erosion and the release of sediment or hazardous materials during land disturbing activities should be included in the Final Environmental Impact Report to prevent sediment and other pollutants reaching surface waters or leaving the site in storm water runoff. These can include scheduling grading to take place during the dry season, identifying staging areas for work vehicles that are separated from sensitive areas, training employees in procedures for cleaning up spills of hazardous materials, and erosion and sediment control techniques.

Waste Disposal

Pursuant to California Water Code 13260 and California Code of Regulations Title 27, which regulate land disposal activities, the Regional Water Board requires proof that placing non-hazardous waste or inert materials (which may include discarded product or recycled materials) will not result in degradation of water quality, human health or the environment. Degradation of water quality can be defined in terms of beneficial uses and/or in terms of numerical or narrative limits adopted to protect those uses. Therefore, in order for each agency to perform their respective duties efficiently, the Regional Water Board will allow Caltrans to conduct some leach testing to evaluate materials for on-site reuse as a cost-saving measure to the State.

4

General Requirements for the Reuse of Low Level Contaminated Solids

- Potentially contaminated material shall be properly characterized for potential on-site and/or off-site disposal;

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- Material determined to be non-hazardous solid waste or inert will be placed at an elevation at least five feet above seasonally high groundwater elevations and be underlain by the least permeable material available at the site. An impermeable membrane will be used if low permeable material is not available;
- Material will be placed under a cap (i.e. asphalt ,concrete, soil with vegetation) that will act as a low permeability surface;
- Material will not be placed in drainage ways or wetlands;
- Caltrans shall comply with local grading ordinances;
- Material is not transported or exposed during wet weather conditions
- Materials shall be protected utilizing BMPs; and
- Caltrans shall document the location of the placed materials.

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cont.

If laboratory analytical reports indicate that the material is non-hazardous and is compliant with applicable water quality objectives, then Caltrans may proceed with an on-site disposal option and prepare a reuse plan for Executive Officer review, consideration, and concurrence.

The following permits may be required for this project:

Construction General Storm Water Permit: Land disturbances on projects of one acre or more require coverage under the construction general storm water permit. If the land disturbance will be one acre or more, the owner of the property will need to apply for coverage under this permit prior to the commencement of activities on-site. This permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies BMPs to implement and maintain to minimize pollutant discharges from a construction site. The permit also requires a risk level analysis for the project based on erosion risk and sensitivity of the receiving waters, inspections of construction sites before and after storm events, and every 24 hours during extended storm events, storm event monitoring, and electronic document and data submittal. The permit requires the use of Low Impact Development to treat post-construction storm water runoff from impervious surfaces. Applicants may find the permit at http://www.waterboards.ca.gov/water_issues/programs/storm_water/construction.shtml.

5

Waste Discharge Requirements (WDRs) or a Conditional Waiver of WDRs: Under authority of the California Water Code, the Regional Water Board may issue WDRs for any project which discharges or threatens to discharge waste to waters of the state. Projects that impact waters of the state (including discharges of post-construction storm water runoff, and any grading activities within stream courses or wetlands) require permitting by the Regional Water Board. The Regional Water Board may also require permits for on-site septic systems accepting 1,500 gallons or more per day. An application may be printed from the State Water Resource Control Board website at: www.swrcb.ca.gov/sbforms/.

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Water Quality Certification (401 Certification): Permit issued for activities resulting in dredge or fill within waters of the United States. All projects must be evaluated for the presence of jurisdictional wetlands and other waters of the state. Destruction of or impacts to these waters should be avoided. Under the Clean Water Act Sections 401 and 404, disturbing wetlands requires a permit from the United States Army Corps of Engineers (ACOE) and a state 401 permit. To determine whether wetlands may be present on any proposed construction site, please contact Jane Hicks of ACOE at (415) 503-6771. If wetlands are present, please contact Mark Neely from our office at (707) 576-2689 for a 401 Permit.

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cont.

In order to expedite permit issuance, a complete and accurate project description needs to be submitted. Common problems identified by Regional Water Board staff include inconsistent description of impact volume and/or area, lack of suitable mitigation or revegetation plans, lack of detailed storm water treatment information (most commonly post-construction), excessive hardscape, and the lack of any alternatives analysis (project, mitigation and storm water treatment alternatives).

If you have any questions or comments, please contact me at (707) 576-2835 or jpuget@waterboards.ca.gov.

Sincerely,

Jeremiah Puget
Environmental Specialist

100823_TMC_197/199STAA_EIR

cc: Scott Morgan, State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812
Re: SCH 2008082128

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Low Impact Development Resources

Santa Rosa's Storm Water Program and LID Technical Manual (in development with the North Coast Regional Water Board):

[http://ci.santa-](http://ci.santa-rosa.ca.us/departments/utilities/stormwatercreeks/swpermit/Pages/SWPERMITCOMPLIANCE.aspx)

[rosa.ca.us/departments/utilities/stormwatercreeks/swpermit/Pages/SWPERMITCOMPLIANCE.aspx](http://ci.santa-rosa.ca.us/departments/utilities/stormwatercreeks/swpermit/Pages/SWPERMITCOMPLIANCE.aspx)

[http://ci.santa-](http://ci.santa-rosa.ca.us/departments/utilities/stormwatercreeks/swpermit/Pages/swLIDtechManual.aspx)

[rosa.ca.us/departments/utilities/stormwatercreeks/swpermit/Pages/swLIDtechManual.aspx](http://ci.santa-rosa.ca.us/departments/utilities/stormwatercreeks/swpermit/Pages/swLIDtechManual.aspx)

Low Impact Development Center:

<http://www.lowimpactdevelopment.org/>

Puget Sound LID manual:

http://www.psp.wa.gov/downloads/LID/LID_manual2005.pdf

Green Infrastructure Municipal Handbooks:

<http://cfpub2.epa.gov/npdes/greeninfrastructure/munichandbook.cfm>

Oregon Rain Garden Guide, landscaping for clean water and healthy streams:

<http://seagrant.oregonstate.edu/sgpubs/onlinepubs/h10001.pdf>

Marin County's LID manual:

http://www.mcstoppp.org/acrobat/GuidanceforApplicantsv_2-5-08.pdf

San Diego County's LID manual – LID for roads:

<http://www.sdcountry.ca.gov/dplu/docs/LID-Handbook.pdf>

Low Impact Development – Sustainable Storm Water Management:

http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/

EPA Green Infrastructure Basic Information:

<http://cfpub.epa.gov/npdes/greeninfrastructure/information.cfm>

Managing Wet Weather with Green Infrastructure:

http://cfpub.epa.gov/npdes/home.cfm?program_id=298

Contra Costa Manual and Guidance to Municipalities:

<http://www.cccleanwater.org/new-developmentc3/stormwater-c3-guidebook/>

Contra Costa approach powerpoint to implement LID:

<http://www.cccleanwater.org/Publications/StormCon-5-06/5-ContraCostaApproach-I-Dalziel-Cloak.ppt>

City of Portland's Sustainable Storm Water Management Program – LID for streets:

<http://www.portlandonline.com/bes/index.cfm?c=34598>

Streetscape improvements and water quality design:

<http://www.lowimpactdevelopment.org/nhb/lid.htm>

LID Urban Design tools – design software for different BMPs:

<http://www.lid-stormwater.net/homedesign.htm>

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LID design fact sheet:

<http://www.coastal.ca.gov/nps/lid-factsheet.pdf>

Storm Water Runoff Calculator:

<http://www.stormulator.com>

Storm Water Management and LID at EPA headquarters – BMP choice and design:

http://www.epa.gov/owow/nps/lid/stormwater_hq/

State Water Board Resolution on LID and Sustainable Water Resources Management:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2008/rs2008_0030.pdf

Resolution of the California Ocean Protection Council Regarding Low Impact Development:

http://www.resources.ca.gov/copc/05-15-08_meeting/05_LID/0805COPC05_%20LID%20Res%20amended.pdf

Storm Water Resources:

North Coast Regional Water Board Municipal Storm Water Program:

http://www.waterboards.ca.gov/northcoast/water_issues/hot_topics/santa_rosa_ms4_npdes_stormwater_permit/

State Water Board Storm Water Program:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/

California Stormwater Quality Association:

<http://www.casqa.org/>

EPA Storm Water Program:

http://cfpub.epa.gov/npdes/home.cfm?program_id=6

Erase the Waste Campaign – California Storm Water Toolbox (outreach materials for permittees and non-profits):

http://www.waterboards.ca.gov/water_issues/programs/outreach/erase_waste/

The San Francisco Regional Water Board Storm Water Resources Website:

http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/avail_docs.shtml

State Water Board Storm Water Grant Program:

http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml

Federal Funding Sources for Watershed Protection:

<http://cfpub.epa.gov/fedfund/>

Stormwater Manager's Resource Center:

<http://www.stormwatercenter.net/>

For more information, please contact Jeremiah Puget at jpuget@waterboards.ca.gov

California Environmental Protection Agency

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Responses to California Regional Water Quality Control Board (Board)

Response to Comment 1

This comment refers to potential watershed impacts as a result of project implementation and offers recommendations for addressing water quality issues in future environmental documents under CEQA. The Department appreciates the guidelines presented by the Board and is committed to ensuring that impacts are avoided, minimized and/or mitigated. The Department will ensure that the proposed project will be in compliance with the latest edition of all applicable State and Federal permits and regulations.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

The Department is aware of the importance of surface waters and their contribution to overall health of the watershed. Although the Draft EIR/EA determined that there will be no significant impacts to wetlands and streams, Avoidance, Minimization, and/or Mitigation Measures, such as the short-term requirements contained in the Department's Construction Site BMP manual and an active SWPPP program that provides for BMP inspection and sampling, will reduce any temporary construction impacts of surface waters. The Department often cannot accommodate the recommended minimum 100-ft buffers for streams, watercourses, and wetlands since culvert or other work is often conducted within 100 feet of these waters. Where feasible and determined to be necessary, the Department specifies installation of Environmentally Sensitive Area (ESA) fencing in the bid package for the Contractor, to discourage foot traffic and serve as a visual reminder to avoid impacts to this sensitive area. No ESA fencing is proposed at streams, watercourses, and wetlands for this project since some form of culvert repair/replacement is planned for all culverts within limits of ground disturbance at each project location. The Department will ensure the proposed projects will be in compliance with the latest edition of all applicable State and Federal permits and regulations.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

As described in Section 2.2.2.4 of the Draft and Final EIR/EA, standard specifications, special provisions, and permit requirements will be implemented by the Department and reduce short-term impacts as a result of stormwater runoff from the construction site. Also, the Department's Construction Site BMP manual and an active SWPPP program will reduce any potential temporary construction impacts to water quality. The Department is planning to implement Low Impact Development into the design with the proposed use of a biostrip (i.e., a narrow biofiltration swale) at Patrick Creek Narrows Location 2. Biofiltration swales were included in the DEIR/EA as one potential option that would be considered for treating storm water runoff (see Section 2.3.2.4 and 2.4.13). The proposed biostrip would be placed northwest of the old bridge, in the vicinity of the abandoned northwest bridge abutment and existing unpaved, compacted road shoulder. The biostrip would collect storm water runoff, promote infiltration, trap sediment, and provide for pollutant removal. The Department will ensure the proposed projects will be in compliance with the latest edition of all applicable State and Federal permits and regulations.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 4

This comment refers to potential hazardous materials impacts as a result of project implementation and cites California Code for addressing waste disposal. The comment also describes the General Requirements for the Reuse of Low Level Contaminated Solids as the Board will allow The Department to conduct some leach testing to evaluate materials for onsite reuse. Where the Department or the Contractor intends to reuse materials on-site as a cost-saving measure to the State, the Department is committed to characterizing the material in accordance with Title 27 CCR, or as directed by the Board, prior to using recycled materials on the project. As the comment states, the Department would prepare a reuse plan, if the material is indicated as suitable after testing, and submit this for review, consideration, and concurrence by the Board. Alternatively, the Department/Contractor may choose to avoid reusing materials and instead would properly dispose of materials at an appropriately licensed solid waste disposal and/or re-use facility.

In addition, the Department's Construction Site BMP manual and an active SWPPP program will reduce any temporary construction impacts to water quality. The Department will ensure the proposed projects will be in compliance with the latest edition of all applicable State and Federal permits and regulations.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 5

This comment discusses three different permits that might be required for the project. These permits are comprised of a Construction General Storm Water Permit, Waste Discharge Requirements or a Conditional Waiver of WDRs, and a 401 Water Quality Certification Permit. The Department will ensure the proposed project will be in compliance with the latest edition of all applicable State and Federal permits and regulations. The Department acknowledges that permits and regulations change over time, so the permits that were suggested as potentially being required in this comment may change by the time permit applications are submitted. In addition, the Department acknowledges that it will apply, as necessary, for coverage under the Construction General Storm Water Permit. A risk level analysis would also be prepared, as required, and strategic use of Low Impact Development, as feasible, would be incorporated. A 401 Water Quality Certification would be applied for wherever dredge or fill is planned within waters of the United States. In order to expedite permit issuance, the Department would provide, to the best of its ability, a complete and accurate project description with consistent description of impact volume and/or area, suitable mitigation/revegetation plan(s), detailed storm water information, and provide an alternatives analysis for the project.

No revisions to the Draft EIR/EA are necessary.

California State Lands Commission

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



PAUL D. THAYER, Executive Officer
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1880
Contact FAX: (916) 574-1885

July 21, 2010

File Ref: SCH# 2008082128

State of California Department of Transportation
Attn: Kim Hayler
P.O. Box 3700
Eureka, CA 95502

**Subject: 197/199 Safe STAA (Surface Transportation Assistance Act) Access Project
Draft Environmental Impact Report/Environmental Assessment (EIR/EA) and
Resources Evaluated Relative to the Requirements of Section 4(f).**

Dear Ms. Hayler:

Staff of the California State Lands Commission (CSLC) has received the above referenced Draft EIR/EA for the 197/199 Safe STAA Access Project. Under the California Environmental Quality Act (CEQA), the CSLC is a Responsible and/or Trustee Agency for any and all projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters.

The State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation and open space. The boundaries of these State-owned lands generally are based upon the last naturally occurring location of the ordinary high or low water marks prior to artificial influences. On tidal waterways, the State's sovereign fee ownership extends landward to the Ordinary High Water Mark as it last naturally existed. On navigable non-tidal waterways, the State holds fee ownership of the bed landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, as they last naturally existed. Such boundaries may not be readily apparent from present day site inspections. The State's sovereign interests are under the jurisdiction of the CSLC.

CSLC staff has determined that the main branch of the Smith River adjacent to Routes 197 and 199 at this location is State sovereign lands under the Commission's jurisdiction. If any portion of the project at the Ruby 1 and Ruby 2 sites is located below the ordinary low water mark in the bed of the Smith River, a lease will be required.

At this time, the extent of the State's sovereign interest on the Middle Fork and South Fork of the Smith River is undetermined and a lease for any portion of work over or in the bed of these forks will not be required. This conclusion is without prejudice to any future assertion

MEMORANDUM FOR: DATE: 7/21/10

Kim Haylor

Page 2

July 21, 2010

of State ownership or public rights, should circumstances change, or should additional information come to our attention.

1
cont.

As a responsible agency, the CSLC will need to rely on this CEQA document for the issuance of a lease and, therefore, please consider our comments below and implement our recommendations prior to adoption of a Final EIR/EA.

2

Greenhouse gas (GHG) emissions information consistent with the California Global Warming Solutions Act (AB 32) should be included in the Draft EIR/EA. This would include a determination of the GHGs that will be emitted as a result of construction of all facets of the proposed project, an evaluation of the cumulative effects resulting from generation of GHG emissions, a determination of the significance of these construction-related and cumulative impacts, and the identification of mitigation measures to reduce any impacts found to be significant.

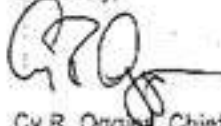
Staff recommends mitigating the recognized air quality impacts identified from a recognized analysis program (URBEMIS, SacRCM, or OFFROAD) used to evaluate construction-related air quality discharges. These discharges identified in the body of the text and cumulative impacts will need to be mitigated. Based on the amounts of GHGs created by this project, as part of its lease application process, the CSLC staff will need to review the mitigation measures needed to address the total 4,473.01 metric ton equivalents of carbon dioxide (CO₂e).

Any modification to any General Plan as a result of the levee improvement project must have the appropriate GHG impacts reflected to include all aspects of the proposed project. Please include any applicable changes in the land use, circulation, safety, and conservation elements effecting GHGs by the modification of these elements to the General Plan. Please also include a Climate Action Plan which discusses inventory of jurisdictional emissions and projected emissions, an evaluation of the project within the region, reduction goals related to AB 32, and any specific policies or programs aimed to reduce GHGs as a result of this project.

3

For questions and comments related to the environmental review, please contact Christopher Hult at (916) 574-1838 or by e-mail at hulto@slc.ca.gov. Please contact Mary Hays, Public Land Manager, at 916-574-1812 or by email at haysm@slc.ca.gov for information about our leasing requirements.

Sincerely,



Cy R. Oggins, Chief
Division of Environmental Planning and Management

cc: Office of Planning and Research
M. Hays, CSLC
C. Hult, CSLC

Responses to California State Lands Commission

Response to Comment 1

Project boundaries for Ruby 1 and Ruby 2 (including alternatives), are located beyond the banks of the Smith River and therefore, would not include construction activities within the ordinary low water mark in the bed of the Smith River. According to Comment 1, a lease would not be required for this scenario. Since Comment 1 also says that the extent of the State's Sovereign interest on the Middle Fork Smith River is undetermined, a lease for work over or in the bed of this fork (i.e., work at locations on US 199) would not be required, unless circumstances change or new information is brought to the Commission's attention.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment states that the California State Lands Commission (CSLC) will need to rely on this CEQA document for issuance of a lease; however, as stated in Response to Comment 1, above, no lease should be required for work at any of the locations. This comment also states that a greenhouse gas (GHG) emissions determination should be made as a result of the project, an evaluation of cumulative effects resulting from GHG emissions, determination of significance of construction-related and cumulative effects, and identification of mitigation measures to reduce impacts found to be significant. It also includes suggestions for analysis programs and states that the CSLC would need to review the mitigation measures as part of the lease application process, although a lease would not be required according to Comment 1.

The Department does not anticipate needing to apply for a lease from the CSLC, based on Comment 1; however, to clarify, the Department updated the conclusion regarding climate change in the FEIR/EA Section 3.2.4.4 to be consistent with the most current knowledge and requirements of the Department for climate change. This updated conclusion states that "both the future with project and future no build show increases in CO2 emissions over the existing levels; the future build CO2 emissions are higher than the future no build emissions. In addition, as discussed above, there are also limitations with EMFAC [emissions model] and with assessing what a given CO2 emissions increase means for climate change. Therefore, it is Caltrans determination that in the absence of further regulatory or scientific information related to greenhouse gas emissions and CEQA significance, it is too speculative to make a determination regarding significance of the project's direct impact and its contribution on the cumulative scale to climate change. However, Caltrans is firmly committed to implementing measures to help reduce the potential effects of the project. These measures are outlined in" the Greenhouse Gas Reduction Strategies portion of Section 3.2.4.4 of the FEIR/EA.

No revisions to the Draft EIR/EA are necessary to address this comment; however, revisions were made in Section 3.2.4 to update the document to provide the most current knowledge and requirements of the Department for climate change.

Response to Comment 3

This comment does not provide a comment on the Draft EIR/EA. The comment refers to a levee improvement project and modification to a General Plan, therefore it does not appear to be applicable to the proposed project.

No revisions to the Draft EIR/EA are necessary.

Del Norte Local Transportation Commission

1025 Marshall Street, Suite 8
Orleans City, California 95561
www.dnltc.org



Teresa Leighton, Executive Director
tles@delnortelocaltransportation.com
Desk: (530) 465-3878
Cell: (530) 219-6824

August 23, 2010

Kim Hayler
California Department of Transportation
North Region Environmental, Unit E1
P.O. Box 3700
Eureka, Ca 95502

Re: 197/199 Safe STAA Access Project Draft EIR/EA

Dear Ms. Hayler

Please consider this letter comment on the 197/199 Safe STAA Access Project Draft EIR/EA. The Del Norte Local Transportation Commission fully supports this project, which has been a top community and regional priority for well over a decade.

We agree with the conclusion in the Community Impact Assessment that overall impacts of the projects on employment and income are likely to be positive for Del Norte County. It's important for the State to keep in mind that we are not seeking special economic advantage but are seeking to eliminate a disadvantage resulting from a decades old STAA transportation standard that we have yet to meet.

Additionally, we agree that the effects on businesses, employment, and income are anticipated to be beneficial, especially in the long term. Del Norte County hosts the Six Rivers National Forest, Redwood State and National Parks, Wild and Scenic Rivers and we have some of the highest indicators of poverty, low literacy and poor health. We have had the lowest or second-lowest per capita income in California since 2001 and the corresponding high rates of reported abuse and neglect. The cumulative economic impacts may be impossible to know, but coming from a community that is so far behind, the anticipated positive benefits mean a lot. Seventy-three jobs and \$3.95 million in Del Norte and Humboldt counties are significant to us.

Del Norte Local Transportation Commission

Del Norte Local Transportation Commission
Page 2 of 2

It is also important to consider the economic impacts to Curry County, Oregon, our northern neighbor, who is equally dependant on this corridor. Just 20 miles away, Brookings, Oregon is as much of a sister community as are the communities in Humboldt County, California. For our community's overall health and well-being, many have actively worked to advance this regional priority including:

- California State Senator, Sam Aanestad
- Alexandre EcoDairy Farm
- Brookings-Harbor Chamber of Commerce
- California Redwood Company
- California State Assemblymember, Patty Berg
- California Trucking Association
- Caltrans District 1
- City of Crescent City
- County of Del Norte
- Crescent City/Del Norte Chamber of Commerce
- Curry County Economic and Community Development Department
- Del Norte County Unified School District
- Elk Valley Rancheria
- Green Diamond Resource Company
- Hambro Forest Products
- Home Depot
- Lily Growers Association
- Mendocino Council of Governments
- Shasta County Regional Transportation Planning Agency
- Smith River Rancheria
- Tri-Agency Economic Development Corporation
- United States Congressman, Mike Thompson
- Yurok Tribe

Direct STAA access to Interstate 5 on the 197/199 corridor has been a top priority in our region for over 10 years. If our goods movement costs became normal and tourists were not afraid to drive this route, we would have a healthier, more vibrant economy. Frankly, we aren't concerned about our asphalt highway. We are concerned about our people and providing safe access to our region and our vast natural resources.

Thank you for your diligence in preparing the EIR/EA for this essential project and for considering our comments.

Sincerely,


Tamara Leighton, Executive Director

1
cont.

Response to Del Norte Local Transportation Commission

Response to Comment 1

This comment does not provide specific comments on the Draft EIR/EA. The comment indicates agreement with economic conclusions in the Community Impact Assessment technical report prepared for the Draft EIR/EA. This comment also lists others who support the proposed project.

No revisions to the Draft EIR/EA are necessary.

National Marine Fisheries Service/National Oceanic and Atmospheric Association

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/28/2010 08:26 AM -----

Kasey Sirkin <Kasey.Sirkin@noaa.gov>

To kimberly_hayler@dot.ca.gov

cc

Subject

09/28/2010 06:53 AM

Good morning Kim – Attached are my comments on the STAA project. Again, I am sorry for the delay in getting these to you. I thought I had sent them off a while ago but apparently that was not the case. I hope this did not cause you delay in the project. Please let me know if there are any questions about my comments or if there is anything else you need from me in the near future.

Sincerely,

L. Kasey Sirkin
Fisheries Biologist
NMFS - Northern California Office
707-825-1620, kasey.sirkin@noaa.gov

National Marine Fisheries Service/National Oceanic and Atmospheric Association

Dear Mrs. Hayler,

Given the lengthy extent of the proposed project and the draft environmental document, I focused my evaluation on the aspects of the project that concern species and habitats listed under the ESA under NOAA jurisdiction. Therefore, my comments are mainly regarding aspects of the project related to the Patrick Creek Location 2, where the Middle Smith River Bridge is proposed for replacement or realignment. However, I am including comments regarding the project in its entirety and therefore have included comments regarding proposed mitigation and minimization measures in all areas where listed species may be located, or instream habitat may be affected.

After attending the site visit to all the project sites it is apparent to me that either the no-build or downstream alternatives would be best suited for the replacement of the Middle Fork Smith River bridge at the Patrick Creek Location 2 site. Selection of the no-build (no replacement) alternative would be preferable as the least environmentally damaging alternative, it seems that replacement would still be necessary in the near future, and that would then still create the potential effects as seen in the current proposal. Additionally, after attending the site visit, it became apparent that construction constraints occur with the upstream alternative, and so we support the downstream replacement alternative. This seems to be the best build alternative and would allow the lifespan of the bridge to be extended in one project rather than two.

However, I would like to see more information and detail about the bridge replacement to better understand the effects that this part of the STAA project will have on critical habitat and listed species. I would like to have more information on the following items to do a proper assessment when the time comes.

1. if there will be any piles in the water?
2. if proposed RSP and viaduct building will be done below the Ordinary High Water Line?
3. How do you propose to make a diversion in this area? There seems to be very little room to work with and nowhere to divert the water to. I read about the potential to push the water to one side but more information would be helpful.
4. Also, if any of the RSP that is to be placed at culvert outlets falls under the OHWL, I would like to see the amount minimized as much as possible. The less armoring the better
5. What are your potential mitigation sites for this project? Have these begun to be examined yet?
6. I thought at one point a Caltrans engineer or someone mentioned they could do a single span across – is that still possible?

Thank you for giving me the chance to comment on this project proposal and I apologize for the delay in responding. I look forward to working with you further on this project and hope my comments are useful for future consideration. Please let me know if you have any other questions for me or I can do anything else to provide assistance.

Sincerely,

L. Kasey Sirkin
Fisheries Biologist
NMFS – NCO office
Arcata, CA
707-825-1620
Kasey.sirkin@noaa.gov

Responses to National Marine Fisheries Service/National Oceanic and Atmospheric Association

Response to Comment 1

The commenter's main focus includes concerns specific to the ESA and NOAA jurisdiction and the bridge replacement for Patrick Creek Narrows Location 2. In addition, the commenter favors the no-build or downstream bridge replacement alternative. The Patrick Creek Narrows Location 2: Downstream Bridge Replacement Alternative was selected as the preferred alternative.

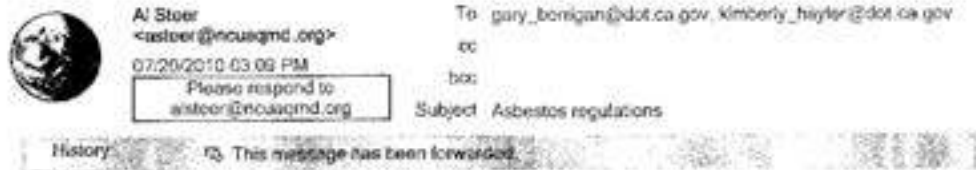
No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment requests more information about the proposed bridge replacement. In response: The proposed bridge would be a concrete arch bridge that spans the Middle Fork Smith River, above the ordinary high water mark. There will be no permanent piles below the ordinary high water (OHW) mark. There will be no rock slope protection (RSP) or construction for the viaduct below the OHW mark. A diversion is no longer proposed with selection of the Downstream Bridge Replacement Alternative as the preferred alternative and the current proposed construction techniques. There will be no new culvert outfalls below the OHW. There are no mitigation sites proposed because there are no permanent significant impacts to sensitive fish species.

Revisions to the Draft EIR/EA Section 2.3.5.3 were made to reflect that no work will be conducted in the wetted channel and that there will be no lethal take of coho salmon at Patrick Creek Narrows Location 2.

North Coast Unified Air Quality Management District



Kimberly and Gary

Attached please find the two State ATCMs for Naturally Occurring Asbestos (NOA), and the Federal, National Emission Standard for Hazardous Air Pollutants (NESHAPs) for Asbestos.

These are the three regulations we have been delegated to enforce in the North Coast Air District, (Humboldt, Del Norte and Trinity Counties).

Please do not hesitate to call this office with any questions you may have. Your first point of contact should be Inspector Eric Bruckner. "Eric Bruckner" <erbruckner@ncuaqmd.org>

Al Steer
Compliance & Enforcement Manager
North Coast Unified AQMD
2300 Myrtle Avenue
Eureka, CA 95501-3327
(707) 443-3093
asteer@ncuaqmd.org
<http://www.ncuaqmd.org>

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Please consider your environmental responsibility before printing this e-mail. ATCM 03105 final.pdf

ATCM 03105 Final.pdf 40 CFR61 NESHAPS ASBESTOS.pdf

North Coast Unified Air Quality Management District



Al Steer
<asteer@ncuqmd.org>

07/21/2010 08:50 AM

Please respond to
asteer@ncuqmd.org

To: Kimberly_Hayler@dot.ca.gov, gary_berigan@dot.ca.gov

cc:

bcc:

Subject: Sorry, I should have included this in the first email

GEOLOGIC OCCURRENCE OF ASBESTOS IN CALIFORNIA

1
cont.

NOA is most commonly found in and immediately adjacent to ultramafic rock formations, which are composed of 90 percent or more of dark-colored, iron-magnesium-silicate minerals. California's official state rock, serpentine, occurs commonly throughout the state, and NOA is often associated with serpentinite. NOA may also be present in other geological settings, such as fault shear zones, metamorphic contacts, mélanges, alluvial deposits, and in surfacing or fill materials derived from mafic and ultramafic rocks. In the Salinas Valley, soils containing elevated levels of NOA have been transported 20 to 30 miles downstream by river sediments. Similarly in Coalinga, an alluvial fan deposit with elevated levels of NOA was found to have been derived from sediments transported approximately 15 miles downstream of the Atlas Mine Superfund Site.

Al Steer
Compliance & Enforcement Manager
North Coast Unified AQMD
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Eureka, CA 95501-3327
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<http://www.ncuqmd.org>

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North Coast Unified Air Quality Management District



Gary
Berrigan/D01/Caltrans/CAG
ov
09/08/2010 09:04 AM

To: Kimberly Hayler/D01/Caltrans/CAGov@DOT
cc:
bcc:
Subject: Fw: Asbestos regulations

----- Forwarded by Gary Berrigan/D01/Caltrans/CAGov on 09/08/2010 09:04 AM -----



Al Steer
<asteer@ncuaqmd.org>
07/21/2010 08:56 AM

To: Gary Berrigan <gary_berrigan@dot.ca.gov>
cc:
Subject: Re: Asbestos regulations

Please respond to
asteer@ncuaqmd.org

Gary

You are absolutely correct.
The confidentiality statement is a standard part of my emails and should have been removed on the email to you and Kimberly.
The attachments to the email are promulgated regulations, and as such are part of the public domain.
Let me know if I should resend them without the confidentiality statement.
Sorry I didn't think of it first.

On Wed, Jul 21, 2010 at 8:49 AM, Gary Berrigan <gary_berrigan@dot.ca.gov> wrote:

Good morning, Al...thank you for sending the items below after our recent conversation regarding the Del Norte STAA Project Draft EIR/EA. The result of our discussion was that you would send your comments so we could have our specialist review and respond for inclusion in the Final EIR.

I'm sure it was unintended on your part, but your email signature includes a confidentiality statement. We are involved in a public review process where comments and information are intended to be part of the public record, available to all and incorporated into the Final EIR. My understanding was that your comments were intended to be part of the public review. It would be helpful if you could clarify this.

Thank you.

Gary Berrigan, E-1 Branch Chief
North Region Environmental Management

Response to North Coast Unified Air Quality Management District

Response to Comment 1

The comment is regarding the geologic occurrence of naturally-occurring asbestos and associated regulations. Section 2.4.9 of the Draft EIR/EA details avoidance and minimization measures (e.g. Standard Special Provisions) the Department will implement during construction that will reduce the potential impacts relating to naturally-occurring asbestos.

No revisions to the Draft EIR/EA are necessary.

3.2 Organizations

Following is the index to written comments submitted by the following organizations:

- Center for Biological Diversity
- Environmental Protection Information Center
- Friends of Del Norte – attachments
- Sullivan, Mike, Del Norte County Board of Supervisors – comment card

The letter from Friends of Del Norte included two Department reports, portions of which were highlighted. The highlighted text and attachment title pages are included after the letter.

Center for Biological Diversity



CENTER for BIOLOGICAL DIVERSITY

August 23, 2010

Via e-mail: kimberly_hayler@dot.ca.gov

Kimberly Hayler
California Department of Transportation
North Region Environmental, Unit E1
P.O. Box 3700
Eureka, CA 95502

**Re: 197/199 Safe STAA Access Project:
Draft Environmental Impact Report/ Environmental Assessment and
Resources Evaluated Relative to the Requirements of Section 4(f)
(State Clearinghouse Number: 2008082128)**

Dear Ms. Hayler:

These comments are submitted on behalf of the Center for Biological Diversity, and its staff and members, concerning Caltrans' proposal to widen and realign portions of Highways 197 and 199 along the wild and scenic Smith River in Del Norte County (the "Project"). The Center for Biological Diversity is a non-profit, public-interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has worked for the past 20 years to protect endangered species and their habitats. The organization has more than 250,000 members and online activists, many of whom reside in, travel to, recreate in, or otherwise use the irreplaceable natural resources found in the area affected by this Project. Because climate change poses such a serious threat to biodiversity, the Center also is greatly interested in efforts to understand, account for, and reduce greenhouse gas emissions associated with both public and private projects.

We understand that a number of public agencies, organizations, and individuals have submitted or will submit comments on the Draft Environmental Impact Report/Environmental Assessment ("DEIR/EA") for the Project. We concur with the conclusions expressed in many of those comments that the DEIR/EA fails to meet the procedural and substantive requirements of both the National Environmental Policy Act ("NEPA"), 42 U.S.C. § 4321 *et seq.*, and the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.* Specific deficiencies in the document are addressed below.

Arizona • California • Nevada • New Mexico • Alaska • Oregon • Montana • Illinois • Minnesota • Vermont • Washington, DC

Kevin P. Bundy • Senior Attorney • 351 California St., Suite 600 • San Francisco, CA 94104
Phone: 415-436-9682 x313 • Fax: 415-436-9683 • kbundy@biologicaldiversity.org

Ms. Kimberly Hayler
Re: 197/199 Safe STAA Access Project DEIR/EA
August 23, 2010

I. Legal Standards

A. NEPA

Pursuant to congressional delegation of authority and a Memorandum of Understanding between Caltrans and the Federal Highway Administration, Caltrans has assumed all legal responsibility for compliance with NEPA and other applicable federal environmental laws with respect to this Project. See 23 U.S.C. § 327; Memorandum of Understanding Between the Federal Highway Administration and the California Department of Transportation Concerning the State of California's Participation in the Surface Transportation Project Delivery Pilot Program (June 29, 2007). Caltrans thus acts as a "federal agency" for purposes of NEPA compliance here.

NEPA is the "basic charter for protection of the environment." 40 C.F.R. § 1500.1(a). In NEPA, Congress declared a national policy of "creat[ing] and maintain[ing] conditions under which man and nature can exist in productive harmony." *Or. Natural Desert Ass'n v. Bureau of Land Mgmt.*, 531 F.3d 1114, 1120 (9th Cir. 2008) (quoting 42 U.S.C. § 4331(a)). This policy is realized "not through substantive mandates but through the creation of a democratic decisionmaking structure" that is "strictly procedural." *Id.* By mandating this decisionmaking structure, NEPA is intended to "ensure that [federal agencies] ... will have detailed information concerning significant environmental impacts" and "guarantee[] that the relevant information will be made available to the larger [public] audience." *Blue Mountains Biodiversity Project v. Blackwood*, 161 F.3d 1208, 1212 (9th Cir. 1998); see also, e.g., *Inland Empire Public Lands v. U.S. Forest Serv.*, 88 F.3d 754, 758 (9th Cir. 1996); *Klamath Siskiyou Wildlands Ctr. v. Bureau of Land Mgmt.*, 2004 U.S. Dist. LEXIS 10977 (D. Or. Jan. 12, 2004). NEPA's policy goals are thus "realized through a set of action forcing procedures that require that agencies take a hard look at environmental consequences, and that provide for broad dissemination of relevant environmental information." *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 350 (1989) (citations and internal quotations omitted).

Under NEPA, before an agency takes a "'major [f]ederal action[] significantly affecting the quality' of the environment," the agency must prepare an environmental impact statement ("EIS"). *Kern v. U.S. Bureau of Land Mgmt.*, 284 F.3d 1062, 1067 (9th Cir. 2002) (quoting 42 U.S.C. § 4332(2)(C)). "An EIS is a thorough analysis of the potential environmental impact that 'provide[s] full and fair discussion of significant environmental impacts and . . . inform[s] decisionmakers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment.'" *Klamath-Siskiyou Wildlands Ctr. v. Bureau of Land Mgmt.*, 387 F.3d 989, 993 (9th Cir. 2004) (citing 40 C.F.R. § 1502.1). An EIS is NEPA's "chief tool" and is "designed as an 'action-forcing device to [e]nsure that the policies and goals defined in the Act are infused into the ongoing programs and actions of the Federal Government.'" *Or. Natural Desert Ass'n*, 531 F.3d at 1121 (quoting 40 C.F.R. § 1502.1).

2

Ms. Kimberly Hayler
 Re: 197/199 Safe STAA Access Project DEIR/EA
 August 23, 2010

Certain actions categorically require the preparation of an EIS, while others first allow the agency to prepare an EA in order to make a preliminary determination as to whether the proposed action will “significantly affect” the environment. 40 C.F.R. § 1501.4; *Metcalf v. Daley*, 214 F.3d 1135, 1142 (9th Cir. 2000). NEPA regulations define an EA as “a concise public document” that serves to “[b]riefly provide sufficient evidence and analysis for determining whether to prepare an [EIS] or a finding of no significant impact.” 40 C.F.R. § 1508.9. An EA “[s]hall include brief discussions of the need for the proposal, of alternatives as required by [42 U.S.C. § 4332(E)], of the environmental impacts of the proposed action and alternatives, and a listing of agencies and persons consulted.” *Id.*

In preparing an EA to assess whether a project will have significant impacts on the environment, Caltrans must evaluate both the “context” and the “intensity” of those impacts. 40 C.F.R. § 1508.27(a), (b). Among other things, Caltrans must consider: whether a significant impact exists even though the agency may consider the Project to be beneficial; the unique characteristics of the geographic area; whether the possible effects of the Project are uncertain or involve unique or unknown risks; whether the action is related to other actions with individually insignificant but cumulatively significant impacts; and whether the action threatens a violation of Federal, State or local law or requirements imposed for the protection of the environment. 40 C.F.R. § 1508.27(b)(1), (3), (5), (7), (10). The EA must contain “sufficient evidence and analysis” to determine whether any of the Project’s impacts are significant. See 36 C.F.R. § 220.7(b)(3)(i).

If the EA reveals that the proposed action will significantly affect the environment, then Caltrans must prepare an EIS. 40 C.F.R. §§ 1501.4, 1508.9. If the agency determines, based on the EA, not to prepare an EIS, the agency must adequately explain its decision not to do so by supplying a convincing statement of reasons in the why the action’s effects are insignificant. *Blue Mountains Biodiversity Project*, 161 F.3d at 1212. The statement of reasons is crucial to determining whether the agency took a hard look at the potential environmental impacts of the project. *Id.*; see also *Marble Mountain Audubon Soc’y v. Rice*, 914 F.2d 179, 182 (9th Cir. 1990) (“An agency must set forth a reasoned explanation for its decision and cannot simply assert that its decision will have an insignificant effect on the environment.”). Conclusions that are reached without any study or supporting documentation are insufficient to satisfy an agency’s NEPA obligations. *Id.* Moreover, if an EA raises “substantial questions” as to whether a project “may cause a significant degradation of some human environmental factor,” the agency must prepare an EIS. *Id.*; see also *Greenpeace Action v. Franklin*, 14 F.3d 1324, 1332 (9th Cir. 1992) (a “plaintiff need not show that significant effects *will in fact occur*, but if the plaintiff raises substantial questions whether a project may have a significant effect, an EIS *must* be prepared”) (quotations omitted; emphasis in original).

B. CEQA

The Legislature enacted CEQA to “[e]nsure that the long-term protection of the environment shall be the guiding criterion in public decisions.” *No Oil, Inc. v. City of Los Angeles*, 13 Cal. 3d 68, 74 (1974). The Supreme Court has repeatedly held that

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CEQA must be interpreted to “afford the fullest possible protection to the environment.” *Wildlife Alive v. Chickering*, 18 Cal. 3d 190, 206 (1976) (quotation omitted).

An EIR is “the heart of CEQA.” *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.*, 47 Cal. 3d 376, 392 (1988) (“*Laurel Heights I*”) (quoting *County of Inyo v. Yorty*, 32 Cal. App. 3d 795, 810 (1973)); *see also* CEQA Guidelines § 15003(a). The EIR serves as an “environmental alarm bell” whose purpose is to alert decision-makers and the public to the environmental consequences of projects “before they have reached ecological points of no return.” *Laurel Heights I* at 392 (internal quotations omitted). CEQA also serves “to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.” *Id.* If CEQA is “scrupulously followed,” the public will know the basis for the agency’s action and “being duly informed, can respond accordingly to action with which it disagrees.” *Id.* Thus, CEQA “protects not only the environment but also informed self-government.” *Id.*

Caltrans must make a good-faith effort in the EIR to disclose and analyze all that it reasonably can about the impacts of the Project. *See* CEQA Guidelines § 15144. The EIR must contain sufficient analysis to provide decision-makers and the public with enough information to make a decision that “intelligently takes account of environmental consequences.” CEQA Guidelines § 15151. To this end, Caltrans must disclose and consider the environmental impacts of all phases of the Project, including both direct and indirect effects and any growth-inducing effects. CEQA Guidelines §§ 15126, 15126.2. Caltrans must propose specific, enforceable, and potentially feasible mitigation measures and alternatives that may avoid or lessen the significant impacts of the Project. CEQA Guidelines §§ 15126(e), (f), 15126.4, 15126.6. In addition, Caltrans must consider the cumulative impacts of the project in conjunction with other past, present, and reasonably foreseeable future projects. CEQA Guidelines § 15130.

II. The DEIR/EA for the Project Fails to Meet Applicable Legal Requirements.

As disclosed in the DEIR/EA, and as discussed in detail below, the Project’s environmental effects as a whole must be considered significant for purposes of NEPA. The DEIR/EA also fails to provide a convincing statement of reasons why an EIS was not prepared for the Project. At the very least, the Project’s impacts on endangered species and critical habitat in several important areas along the Smith River raise a substantial question as to whether the Project will have significant impacts. Accordingly, Caltrans must prepare an EIS for this Project.

The DEIR/EA also fails to satisfy the minimum legal requirements for an EIR under CEQA. Caltrans must correct these deficiencies, and must revise and recirculate the DEIR/EA, before moving forward with this Project.

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A. The DEIR/EA Fails to Adequately Disclose and Analyze the Project's Growth-Inducing Impacts, Raising Questions About the Need for the Project.

5

The primary purpose of the Project is to facilitate goods movement by opening Highways 197 and 199 to STAA trucks. *See* DEIR at 1-2, 1-9. Caltrans anticipates that the Project “will promote and encourage economic growth” that “could lead to housing and population growth.” *Id.* at 2.1-42, 2.1-43. Yet Caltrans concludes that the Project’s growth-inducing impacts will be less than significant—indeed, almost negligible—due to the many other constraints on growth in Del Norte and Humboldt Counties. *See id.* at 2.1-45, 2.1-46.

This analysis suffers from at least two flaws. First, the DEIR appears to evaluate the significance of potential growth-inducing impacts against planned future growth rather than actual physical conditions, *id.* at 2.1-38, 2.1-43, 2.1-46, and thus employs the wrong “baseline” for CEQA analysis. *See generally* *Communities for a Better Env’t v. S. Coast Air Quality Mgmt. Dist.*, 48 Cal. 4th 310 (2010), and cases cited therein. Second, the consideration of other unrelated constraints on growth is irrelevant to the analysis demanded by CEQA and NEPA. The relevant question is whether this Project will induce physical growth-related changes, not whether other factors will impede growth in general, thus making the impact of this project appear negligible.

If Caltrans is correct, despite these errors in analysis, that the Project will not deliver much of a benefit in terms of economic growth, the need for the Project is questionable. Put another way, if unrelated constraints on growth mean that this Project will not deliver much of a benefit to Del Norte and Humboldt counties, then the primary purpose of the project appears to be undermined.

Moreover, although safety considerations are purportedly a secondary purpose of the Project, DEIR at 1-9, the collision data do not indicate that *this* Project—widening and realigning highway sections so two STAA trucks can pass in opposite directions without off-tracking—will alleviate the safety concerns identified. Accidents at these locations, when they have occurred, are predominantly attributable to unsafe speeds, weather, and darkness. *See id.* at 1-7 to 1-9. None of the collision data indicate that large trucks off-tracking while attempting to pass in opposite directions have caused any accidents.

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Other alternatives—such as reducing speed limits, improving signage, enhancing enforcement, or installing adequate lighting—would probably do a better job of achieving Caltrans’ safety objectives than this Project, while avoiding its environmental impacts. Yet the DEIR/EA completely failed to analyze any such alternatives. *See id.* at 1-19 (discussing “non-build” alternatives). As a result, the DEIR/EA does not present sufficient information for Caltrans to make an informed decision as to either the impacts of or the need for the Project.

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B. The DEIR's Traffic Analysis Is Incomplete and Flawed.

7

The DEIR/EA fails to provide information adequate to substantiate its conclusion that the Project's traffic impacts will be less than significant. The document states that traffic is expected to increase by 92 trucks per day, but fails to clarify when and where this impact is likely to occur. Furthermore, the methodology used to determine latent traffic demand was apparently buried in a technical report, *see* DEIR/EA at 2.1-71 to 2.1-72, that has not been made readily available to the public. It is not clear from the DEIR/EA whether this methodology accounted for latent demand for an additional through route for STAA trucks (an alternative to I-5) resulting from a simultaneous highway project at Richardson Grove in Humboldt County. The cumulative impacts analysis also fails to address this issue clearly. DEIR/EA at 2.5-6 to 2.5-9.

The DEIR/EA also appears to use circular logic and a questionable metric in concluding that additional trucks will have no significant impact on traffic. Rather than evaluate impacts in terms of numbers of additional trucks on the road, the document discusses significance only in terms of the percentage of trucks relative to other traffic. *See id.* at 2.1-61. However, the latent demand forecast in the traffic analysis apparently proportionally distributed anticipated future truck traffic to each roadway segment based on the existing percentage of heavy truck traffic. *Id.* at 2.1-71. Based on this forecast, the DEIR/EA concludes that there will be no significant impact because the relative percentage of heavy trucks on the road will not change appreciably. *Id.* at 2.1-61. This seems to be circular; it is likely that future percentages do not appear to change very much because they were projected based on existing percentages. This analysis provides no basis for a determination of significance. It is also irrational to claim, as the DEIR/EA does, that any increase in truck traffic experienced in low-income communities along the route will be "minimal," *id.*, just because non-truck traffic is also anticipated to increase in the same basic proportion.

As a result of these omissions and analytical errors, the DEIR/EA fails to contain information adequate for the public or other agencies to comment meaningfully. Important information—such as the basis for the document's conclusion that traffic impacts will be less than significant—should not be buried in a technical report that the public cannot access, review, and address in comments on the Project. This is one of the key sources of public controversy surrounding this Project as well as the Richardson Grove project in Humboldt County. Caltrans' decision to bury information addressing this controversy in a technical report, rather than to disclose it openly in the DEIR/EA, is more than just short-sighted. It also renders informed public participation in this process impossible. As circulated, the DEIR/EA thus fails the fundamental purposes of CEQA and NEPA, and must be revised and recirculated before this Project can be approved.

C. The DEIR/EA Fails to Analyze, Disclose, and Identify Adequate Mitigation for Impacts to Old-Growth Redwoods.

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The Project will have unacceptable, and undeniably significant, impacts on old-growth trees. At the Ruby 2 site, under the four-foot shoulders alternative, the Project

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calls for removal of either seven or 10 redwood trees between five and 12 feet in diameter. DEIR/EA at 2.3-2 (seven trees), 2.3-12 (10 trees). This discrepancy is not explained, leaving the public and decision-makers in the dark as to the Project's actual impacts. Furthermore, under all of the alternatives for the Patrick Creek 2 site, two old-growth Douglas-firs will be removed. DEIR/EA at 2.3-14 to 2.3-15. Yet the document claims that no adverse impacts to trees will occur. The DEIR/EA does not explain why impacts to old-growth redwoods may be significant and require mitigation, but impacts to old-growth Douglas-firs are not adverse and need not be mitigated.

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Furthermore, the mitigation measures identified for impacts to old-growth redwoods are speculative and improperly deferred. Caltrans must make a concrete, enforceable commitment to mitigation, not just claim that "some options" for mitigation might "include" various general proposals. See DEIR/EA at 2.3-20 to 2.3-21. In any event, none of the mitigation "options" identified will actually replace the trees lost or do anything to ameliorate the immediate on-site impacts. Removing invasive vegetation somewhere else does nothing to replace lost old-growth trees. Accordingly, Caltrans must develop and choose a feasible alternative that avoids this impact.

Finally, the DEIR/EA contains virtually no analysis of potential impacts to the root systems of old-growth trees in the various project locations. This is odd, given the intense public controversy surrounding this aspect of the Richardson Grove project. A promise of certain construction methods is no substitute for the good-faith disclosure of potential impacts and analysis of significance that CEQA and NEPA require.

D. The DEIR/EA Fails to Analyze, Disclose, and Identify Adequate Mitigation for Impacts to Endangered Species.

9

The Project also will have unacceptable and significant impacts on threatened and endangered species, including the marbled murrelet, northern spotted owl, and coho salmon. The DEIR/EA fails to identify legally adequate mitigation measures sufficient to reduce these impacts to a less-than-significant level, as required under CEQA. Moreover, taken together with the Project's impacts on old-growth trees, these impacts raise at least a substantial question that the Project as a whole will have a significant, adverse effect on the environment; an EIS is therefore required under NEPA.

The Smith River is a migration corridor for marbled murrelets as well as important habitat for listed anadromous fish, including coho salmon. The DEIR/EA reveals that migrating murrelets may be disturbed by noise during construction. The document also reveals that anadromous fish passage may be blocked, and habitat destroyed, by instream construction. Furthermore, the DEIR/EA explains that the Project will result in removal of northern spotted owl habitat. Adverse effects on both coho and northern spotted owls are anticipated.

Any of these activities could cause a "take" of listed species in violation of the state and federal Endangered Species Acts. This must be considered a significant impact under both CEQA and NEPA. Unfortunately, the DEIR/EA does not set forth mitigation

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measures sufficient to reduce these potential impacts to a less-than-significant level. For example, the development of mitigation measures for coho salmon is impermissibly deferred. Rather than identify specific, enforceable measures to offset the potential take of coho salmon, the DEIR/EA states that the Department of Fish and Game may require unspecified habitat improvements at some unspecified location. DEIR/EA at 2.3-67, 2.3-71. Other mitigation measures identified for impacts to coho are facially inadequate. Although these measures indicate that in-stream construction will be avoided while adult coho are present, the document makes clear that juvenile coho are present year-round. See DEIR/EA at 2.3-65, 3-19 to 3-20. At the very least, Caltrans must develop and analyze an alternative that avoids impacts to coho throughout their life cycle.

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E. The DEIR/EA Fails to Adequately Disclose and Analyze the Project's Contribution to Climate Change.

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The DEIR/EA's analysis of the Project's greenhouse gas emissions and its resulting contribution to climate change is fatally flawed. "The impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct." *Center for Biological Diversity v. National Highway Traffic Safety Administration*, 538 F.3d 1172, 1217 (9th Cir. 2008). CEQA also requires agencies to exercise "careful judgment" in making a "good-faith effort" to determine whether a project's contribution to climate change is significant. CEQA Guidelines § 15064.4; see also CEQA Guidelines § 15126.4(e) (agencies must consider mitigation for significant greenhouse gas emissions).

The DEIR/EA discusses climate change, and even goes so far as to attempt to quantify the Project's emissions. Yet the document ultimately fails to determine whether those emissions are significant, labeling their effects too "speculative" for analysis. DEIR/EA at 3-12. This is insufficient under CEQA. See *Communities for a Better Env't v. City of Richmond*, 184 Cal. App. 4th 70, 90-91 (2010) (discussing agency's recognition of weakness of argument that significance of climate change impacts is too speculative to determine). The absence of an adopted statewide threshold of significance or methodology for determining significance does not relieve Caltrans of its responsibility to make a significance determination. See *Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099 (2004). There are several proposed and adopted thresholds of significance that Caltrans could have consulted in making a determination.¹ See CEQA Guidelines § 15064.7(c) (lead agency may consider other agencies' thresholds of significance).

¹ See, e.g., Cal. Air Pollution Control Officers Ass'n, *CEQA and Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act* (Jan. 2008) at 42-57 (evaluating thresholds of zero, 900, 25,000, and 50,000 metric tons per year) (attached as Ex. 1); see also Cal. Air Res. Bd., Preliminary Draft Staff Proposal, *Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases Under the California Environmental Quality Act* (Oct. 24, 2008) (attached as Ex. 2); South Coast Air Quality Mgmt. Dist.,

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Finally, the DEIR/EA's quantification of emissions is faulty. The document once again appears to rely on the wrong CEQA "baseline" by comparing the Project's potential greenhouse gas emissions to hypothetical future planning scenarios rather than present physical conditions. All of these omissions and errors must be corrected, and the DEIR/EA recirculated, before the Project can be approved.

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F. The DEIR/EA Fails to Analyze a Range of Reasonable Alternatives.

11

As previously discussed, the DEIR/EA fails to disclose and analyze a range of reasonable, potentially feasible alternatives that could avoid the Project's significant effects. In particular, given the potential lack of need for the Project on economic development and goods movement grounds, the DEIR/EA fails to consider "non-build" alternatives better suited to addressing Caltrans' safety concerns, including reduced speed limits, signage, improved lighting, and enhanced enforcement. The DEIR/EA also fails to consider whether, in light of the apparent low demand for STAA access, a legislative exemption from STAA restrictions similar to that currently provided for moving vans might be extended to additional categories of vehicles. Absent analysis of these alternatives, the DEIR/EA fails to meet the requirements of NEPA, CEQA, and Section 4(f) of the Department of Transportation Act.

III. Conclusion

For the foregoing reasons, and for the reasons identified by other commenters, the Center for Biological Diversity objects to the approval of the Project on the basis of the DEIR/EA. Please feel free to contact me at (415) 436-9682 x313, or by email at kbundy@biologicaldiversity.org, with any questions or concerns.

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Sincerely,



Kevin P. Bundy
Senior Attorney

Attachments

Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold (Oct. 2008) (attached as Ex. 3); Bay Area Air Quality Mgmt. Dist., California Environmental Quality Act Guidelines Update: Proposed Thresholds of Significance (Dec. 7, 2009) (attached as Ex. 4).

Responses to Center for Biological Diversity

Response to Comment 1

The comment states that the Draft EIR/EA fails to meet the procedural and substantive requirements of NEPA and CEQA and serves as an introductory sentence to the remaining comments in the letter. The Department respectfully disagrees with this comment. Specific concerns regarding the proposed failures are addressed in the following responses to this letter.

No revisions to the DEIR/EA are necessary.

Response to Comment 2

This comment correctly states that the Department assumes the role of the lead federal agency for compliance with NEPA and other federal regulations through the congressional delegation of authority and a Memorandum of Understanding between Caltrans and FHWA. It further states that NEPA requires a hard look at environmental consequences and provides for the broad dissemination of environmental information. Most of this comment consists of the steps as part of the NEPA process including references to various case law involving NEPA cases. The comment asserts that an EA is insufficient under certain circumstances and that an EIS should then be prepared, and it also states what Caltrans must consider in preparing an EA. The comment does not specifically assert that an EIS should be prepared for the proposed project. Since the comment is informational and does not make assertions regarding whether Caltrans met or failed to meet the above-mentioned requirements, no further response is required.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

This comment outlines the CEQA process and the development of an EIR. The comment also asserts that the Department must disclose environmental impacts and propose specific, enforceable, and potentially feasible mitigation measures and alternatives that would avoid or lessen significant impacts of the project. It also states that the Department must also consider cumulative impacts of the project. Since the comment is informational and does not make assertions regarding whether the Department met or failed to meet the above-mentioned requirements, no further response is required.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 4

This comment states that an Environmental Impact Statement (EIS) is the appropriate NEPA document for this project, and that the DEIR/EA fails to provide a convincing statement of reasons why an EIS was not prepared. The Department conducted an Environmental Assessment (EA) under NEPA and determined that there are no significant impacts, and accordingly proceeded to prepare a Finding of No Significant Impact (FONSI). The Department believes the DEIR/EA does include a convincing statement of reasons about why the project will not have a significant impact.

The comment also states that the project will have significant impacts on endangered species and critical habitat. The DEIR/EA and FEIR/EA discusses why there are no significant impacts to state or federal listed species or critical habitat in Section 2.3.5.

The comment also states that the DEIR/EA does not meet the legal requirements for an EIR under CEQA. The Department believes that the DEIR/EA, PRDEIR/SEA, and FEIR/EA do meet the legal requirements under CEQA.

No revisions were made to the DEIR/EA to address the comment topic.

Response to Comment 5

The comment is incorrect in asserting that the Draft EIR/EA concluded that the Project's growth-inducing impacts "will be less than significant—indeed, almost negligible—due to the many other constraints on growth in Del Norte and Humboldt Counties." The conclusion that the project is not expected to result in substantially adverse effects as a result of growth induced in Del Norte County or Humboldt County was based primarily on the small amount of growth estimated to be generated by the project, not on "other constraints to growth." As discussed on page 2.1-45 of the Draft EIR/EA, the estimated upper-range population growth anticipated to result from potential near-term business expansion is 78 for Del Norte County and 101 for Humboldt County. For both counties, the population increase would be less than 0.3% of 2008 population levels, and across the two counties the increase would be about 0.1% of the 2008 population (Draft EIR/EA page 2.1-45). This growth estimate was based on results of the producer/exporter business survey conducted for the traffic analysis and not on a consideration of potential growth constraints. The discussion of other constraints to growth in the region on page 2.1-45 of the Draft EIR/EA was provided for contextual purposes and to provide additional information on why growth generated by the project is not anticipated to be substantial.

The comment is also incorrect is asserting that an incorrect, future baseline was used to evaluate the significance of potential growth-inducing impacts. As the discussion in the prior paragraph demonstrates, the estimated growth levels generated by the project were properly compared to an existing (2008) baseline to evaluate the relative magnitude of the project-generated population increase. On page 2.1-45 of the Draft EIR/EA, the growth anticipated to be generated by the project was also compared to projected future (2030) growth levels, but this was done to show that the anticipated growth was well within growth levels anticipated to occur within the two counties over the next 20 years. This comparison was also made to show that the growth induced by the proposed project is not expected to be large enough to influence or alter planned development patterns in the study area, and, as a result, no substantially adverse growth-related indirect effects would be expected. Thus, the growth anticipated to be generated by the project was compared to an existing (2008) baseline, as required by CEQA, and to 2030 population projections to demonstrate that the small amount of growth induced by the project would be unlikely to directly or indirectly encourage unplanned growth or greatly hasten planned growth.

See the Grouped Response #1: Purpose and Need for a discussion regarding adequacy of, and support for, the purpose and need, despite the few number of trucks or minimal economic growth anticipated.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 6

This comment states that collision data provided in the DEIR/EA do not indicate that the proposed project would alleviate safety concerns discussed on DEIR/EA page 1-9, even though the DEIR/EA page 1-9 states that safety is a secondary purpose of the project, and none of the collision data indicate that large trucks offtracking while passing in opposite directions have caused accidents. This project was not developed in response to historical collision data; rather, the project need involves achieving consistency with federal and state legislation and regional programs, plans, and policies that require and/or encourage STAA truck access (see Grouped Response #1). The DEIR/EA, page 1-9, states that the secondary purpose of the project is to enhance safety on SR 197–US 199 for automobiles, trucks, and other large vehicles at the proposed project locations, and “Safety-enhancing improvements, including wider lanes, wider shoulders, longer-radius curves, and improved sight distances, would provide a roadway that is easier to maneuver for all users...” This does not mention collision history data, and the improvements are not proposed due to collision history. Additionally, STAA trucks are typically not allowed on the 197/199 corridor, so there is not adequate data on STAA-truck collisions; however, the proposed improvements would enhance safety for all users. By making improvements to accommodate STAA trucks, the prohibition for STAA vehicles would be removed, the 197/199 corridor would be consistent with federal and state legislation and regional programs, plans, and policies, and the safety and operation of US 199 and SR 197 would be enhanced for all users. The commenter’s proposed alternatives would not achieve consistency with the above legislation or regional programs, plans, and policies or the purpose and need of the project since they would not necessarily affect offtracking by STAA trucks.

In regard to how Caltrans typically responds to collisions see Group Response #8. Please see revisions to the purpose and need in Section 1.2 of the Final EIR/EA for more information and Grouped Response #1 for further discussion on purpose and need.

No changes to the DEIR/EA are necessary.

Response to Comment 7

This comment states that the DEIR/EA failed to provide adequate information to substantiate the conclusion that the project’s traffic impacts will be less than significant, and that the document failed to clarify when and where the increase of 92 trucks per day would occur. The increase of 92 trucks per day is a result of the product of short-term truck growth, short-term to long-term induced travel effect, and future background truck growth based on 20-year linear growth factors. For analysis purposes, the 92-truck increase per day is based on the year 2030 (as stated on pages 2.1-69 through 2.1-71 of the Draft EIR/EA and in Chapter 2 of the Traffic Analysis Report [Fehr & Peers 2010]). This increase in truck volumes is expected to occur on the 197/199 corridor by the year 2030, if the proposed project is constructed.

The projected 92 truck per day increase by 2030 assumes consistent economic growth each year for the entire 20-year period. In the event of economic down times, such as what is being experienced currently by the region, state, and nation, the projected truck increase could be much lower than what was estimated by the traffic study. The estimated 92-truck increase per day by 2030 equates to about 10 trucks per hour in the peak period or one additional truck every six minutes. It is very unlikely that this very small increase in truck traffic will even be noticeable by the traveling public or residents living or working within the corridor in the Year 2030. Per the

Department's Guide for the Preparation of Traffic Impact Studies (State of California Department of Transportation December 2002¹), which was referenced in DEIR/EA Section 2.1.5.1, the minimum threshold for "significant impact" is between 50-100 trips per peak-hour. The proposed peak hourly increase of 10 trucks per hour (or 92 trucks per day) in 2030 falls well below the "significant impact" criteria. Regarding the assertion that there could be an increase in STAA trucks essentially using US 101 as an alternate interregional north-south corridor to Interstate 5 (with the simultaneous completion of the Richardson Grove Project), it would be economically infeasible for trucks to use this route for anything other than movement of goods to and from existing activities in the area, because this route would have more miles and drive time than the Interstate 5 route.

Traffic operational impacts of the additional trucks on the road were evaluated not only in terms of a percentage increase in trucks, but also by level of service, delay, and "percent time spent following" – which are directly related to the number of additional trucks, not percentage increase in trucks (see page 2.1-72 of the Draft EIR/EA and Chapters 3-7 of the traffic analysis report prepared for the project [Fehr & Peers 2010]). The thresholds for acceptable level of service established in the route concept reports for SR 197, US 199, and US 101 (California Department of Transportation 1999a, 1999b, 2002) were used in the Draft EIR/EA (see pages 2.1-72 and 2.5-12). Based on the level of service thresholds established, the traffic impacts as a result of the increase in trucks are not considered significant. Page 2.1-73 of the Draft EIR/EA states "all of the directional segments would operate at acceptable levels of service based on the thresholds established in the route concept reports for SR 197, US 199 and US 101" and "the results of the 2030 with-project analysis indicate that all roadway segments in the 2030 with-project scenario would operate at or better than their target LOS." "Therefore, the increase in truck traffic by 2030 due to the project would not result in an adverse effect on traffic operations."

The future background growth was indeed based on the existing number of trucks; however, induced travel, induced growth, and latent demand were also factors applied to the future truck traffic. Based on the analysis, the traffic impacts on the roadways that travel through the respective communities are expected to be minimal. Although not described in the traffic analysis report, the potential for shifts in traffic from the I-5 corridor to a continuous STAA corridor on US 101–SR 197–US 199 were considered in the analysis but dismissed as a likely source of additional truck traffic demand. A review of the Department's California Statewide Travel Model and travel websites indicate that it would take an extra 90 minutes, or more than 20 percent longer, to travel between the Bay Area and Grants Pass on US-101–US-199 compared to the I-80 to I-5 corridor. Therefore, it was concluded that the only STAA trucks traveling from the south via Richardson Grove would have already been on the route making local deliveries or pickups. This is a similar delivery pattern to what occurs under existing conditions using CA Legal trucks.

All technical documents supporting the Draft EIR/EA are made available for public review as stated on the second page of the Draft EIR/EA under "General Information about This Document," at the Department's District 1 office located at 1656 Union Street, Eureka, CA. The DEIR/EA and all technical documents were also made available for review at the public library

¹ accessed at http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf on 5/4/12

in Crescent City, CA, as noted in the public notice for the announcement of the public hearing and availability of project information during circulation of the DEIR/EA for this project.

See Grouped Response #9 for more information regarding the methodology of the traffic study.

No revisions to the DEIR/EA are necessary.

Response to Comment 8

This comment states that the DEIR/EA fails to analyze, disclose, and identify adequate mitigation for impacts to “old-growth redwoods.” The Department has selected the Two-Foot Widening in Spot Locations Alternative as the preferred alternative, and no significant impacts are anticipated from this alternative since no large trees (> 36 inch dbh) will be cut. This is considered a feasible alternative that will incur the least amount of impacts to trees and under which no significant impacts, i.e. no cutting of large redwood trees, would occur. See Grouped Response #4 potential impacts to trees.

The Department does not consider removal of large Douglas-fir trees to constitute a substantial adverse impact or significant impact under NEPA or CEQA due to the larger range and greater number of Douglas-fir trees, including large Douglas-fir trees in California, Oregon, and Washington. Regarding the question about large Douglas-fir trees at Patrick Creek Narrows Location 2: large Douglas-firs historically have not been considered as much of a sensitive environmental resource as large redwoods by the Department or to many members of the public, as exhibited by the general lack of public comments regarding large Douglas-firs (as compared to comments on redwoods) in public comments for this and other projects circulated by the Department.

Regarding the lack of analysis of impacts to root systems of large trees, the Department did an additional study and Recirculated the information in the fall of 2012; refer to the Group Response #4 for further information.

Revisions to the DEIR/EA were made in Section 2.3.1 and Recirculated to analyze impacts to large redwood and Douglas-fir trees and to analyze potential root impacts.

Response to Comment 9

This comment states that the DEIR/EA failed to analyze, disclose, and identify adequate mitigation for impacts to endangered species, and that the project would have significant impacts to threatened and endangered species, including marbled murrelet, northern spotted owl, and coho salmon. See the DEIR/EA and FEIR/EA Section 2.3.5 and the Biological Assessment to USFWS and NMFS impacts to listed species. In summary, the Department determined after circulation of the DEIR/EA that proposed bridge replacement at Patrick Creek Narrows Location 2 could and would be constructed so that no heavy equipment and only minimal temporary foot traffic would occur within the live channel, and there would be no water diversion for bridge construction; therefore, there would be no lethal take of listed fish species. No critical habitat for listed species would be removed for any of the proposed locations, and there would be no lethal take of any listed species. The proposed work will not impact marbled murrelet (MAMU) or northern spotted owl (NSO) nesting habitat. Construction techniques and activities will be implemented to avoid or minimize impacts to MAMU or NSO. Any effects will be negligible

and temporary and will not jeopardize the continuation of these or any federally or state listed species. Since there will be no lethal take of listed species or take of critical habitat and no cutting of large redwood trees, the Department finds that there would be no significant, adverse effects on the environment, particularly with the Avoidance, Minimization, and/or Mitigation Measures listed in Sections 2.1, 2.2, 2.3, 2.4, 2.5, and Chapter 3, and there is no requirement to prepare an EIS under NEPA.

Since MAMU may have migration/dispersal corridors in the biological study area, construction activities within the Ruby 1 and Ruby 2 project areas will have restrictions. To avoid adverse noise impacts to migrating marbled murrelet between March 24 and September 15, there will be no construction activity (including blasting) in the morning for a three-hour period starting one hour before sunrise until two hours after sunrise, then in the evening no construction activity in the three-hour period starting two hours before sunset until one hour after sunset. Therefore, from July 1 - September 15 there can be night work starting one hour after sunset and ending one hour before sunrise. After September 15 (until March 1) there will be no restrictions on night work. No trees suitable for marbled murrelet nesting will be removed. These restrictions will not apply to the US 199 project sites due to the low likelihood of MAMU occurrence.

To avoid adverse effects to northern spotted owls during the critical breeding season (March 1– July 9), there will be no blasting or night work at PCN-2 or the Narrows during this period. If night work is required, the lighting will be directed toward the area of work. Additional lighting is not expected to substantially exceed the level of disturbance of the existing traffic headlights. No trees suitable for spotted owl nesting will be removed. The proposed work will involve no additional specific avoidance and minimization efforts for NSO.

Edits were made to the DEIR/EA Section 2.3.5 to clarify that there would be no lethal take of coho salmon, due to design refinements to the construction scenario for Patrick Creek Narrows Location 2. No other edits were made to the DEIR/EA regarding this comment.

Response to Comment 10

This comment states that the DEIR/EA failed to adequately disclose and analyze the project's contribution to climate change. The Draft EIR/EA has been modified to clarify the existing / baseline conditions for purposes of comparing the project impacts pursuant to CEQA. Sections updated include Traffic and Transportation, Air Quality, Noise and Vibration, and Climate Change.

CEQA requires a lead agency to make a good faith effort to identify impacts and gives the lead agency discretion on the approach to analyze impacts. Caltrans has used the best available modeling method (CT-EMFAC) to analyze greenhouse gas emissions related to implementation of the proposed project and has disclosed a projected increase in GHG emissions. Modeling shows that there is an expected increase in GHG emissions when compared to existing conditions, but it also shows that emissions are expected to increase under the no-build conditions as well.

While there is no scientific data available to link the impact of the proposed project to the global greenhouse gas effects on a cumulative scale to climate change, Caltrans is committed to reducing GHG emissions as outlined in Table 3-4 of the DEIR/EA .

No revisions to the Draft EIR/EA are necessary.

Response to Comment 11

The comment states that the Draft EIR/EA fails to analyze a range of reasonable alternatives, that the DEIR/EA fails to consider non-build alternatives to address safety concerns, and that the purpose and need of the project has not been established. Please see the revised purpose and need sections in Chapter 1 of the Final EIR/EA and Grouped Response #1 for clarification and support of the project purpose and need. Please refer to Grouped Response #7 for a discussion of adequate range of alternatives. Also, see Grouped Response #7 and Response to Comment 6 for Center for Biological Diversity regarding consideration of no-build options, as mentioned in this comment. Ultimately, the “no-build” options that the comment suggests, including consideration of implementing reduced speed limits, signage, improved lighting, enhanced enforcement, and a legislative exemption from STAA restrictions similar to that currently provided for moving vans to be extended to additional categories of vehicles, would not address the problem of large vehicles offtracking into the oncoming traffic lane and would not meet the purpose and need of the project, and they would not achieve consistency with the federal and state legislation or the regional programs, plans, or policies. Furthermore, the 197/199 corridor cannot safely accommodate STAA traffic as it currently exists, so a legislative exemption is not a feasible solution.

The comment also states that the DEIR/EA fails to meet requirements of NEPA, CEQA, and Section 4(f) of the Department of Transportation Act due to failing to analyze the above-proposed “no-build” alternatives. Since the above-proposed “no-build” alternatives would not meet the project purpose and need, consideration of those alternatives is not required.

The purpose and need statement in Chapter 1 of the Draft EIR/EA was modified, as noted in the Grouped Response #1: Purpose and Need. No further revisions to the Draft EIR/EA are necessary.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 12

This comment states that The Center for Biological Diversity objects to the proposed project but does not comment on the DEIR/EA.

No revisions to the Draft EIR/EA are necessary.

Environmental Protection Information Center

Environmental Protection Information Center
#122 600 F Street Ste 3
Arcata, CA
95521

August 23, 2010

Attn: Attention Kim Hayler, Environmental Coordinator

California Department of Transportation
District 1
P.O. Box 3700
Eureka, CA,
95502

Dear Kim Hayler,

Please accept the following comments on behalf of the staff, board and members of the Environmental Protection Information Center, the California Department of Transportation draft Environmental Impact Report (DEIR) and Environmental Assessment (EA) for the 197/199 Safe STAA Access Project.

The Safe STAA Access Project, which combined five separate projects in seven locations, is incomprehensible. The five projects that have been combined create a labyrinth of potential outcomes, all of which have significant environmental, economic and social impacts. Many of these impacts cannot be mitigated, like the removal of several old growth redwood trees along the route.

Please consider extending the comment deadline so that the public may have adequate time to review the myriad of alternatives presented to the many sensitive locations within the proposed project.

Because of this lack of analysis and the incomprehensible nature of this project proposal, the only alternative that EPIC and our members can identify is the no build alternative.

The Safe STAA Access Project is one of many projects Caltrans has proposed to lift restrictions for STAA trucks to travel through Del Norte and Humboldt Counties, located along the rugged northern California coastal region. This change could result in a reclassification of US Hwy 199 and 197 into STAA accessible routes, as part of the STAA truck route network.

While several, high priority road improvements along these routes may be necessary to improve safety along the harrowing corridor along the steep cliffs above the Wild and Scenic Smith River, no need exists to reclassify the Highways 199 and 197 for this purpose.

1

2

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The reclassifications of the routes to “STAA accessible” and for them to be considered a part of the “STAA truck route network” may open the doors for Caltrans to receive federal funds for additional construction projects. The public does not understand the relationship between additional truck access and Caltrans access to additional federal monies for otherwise regional projects. Instead, Caltrans attempts to convince the public that STAA projects will offer great benefits to businesses.

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cont.

Only a very few businesses will benefit from STAA truck access.

While significant environmental, economic and social impacts would occur from the proposal project, the vast majority of businesses in Del Norte and Humboldt will not use STAA trucks.

According to the Fehr and Peers Traffic Analysis Report, the business to receive the most benefit from the massive project will only use the added access for two months out of the year. And while, according to the Del Norte Goods Movement Action Plan asserts that retail giants Walmart and Home Depot are inhibited by the STAA restrictions into Del Norte County, no evidence presented in the independent study concludes that this is true.

In relationship to other projects, Caltrans has failed to identify or analyze the cumulative impacts these projects will have on the region as a whole. This piecemeal approach to transportation planning threatens to undermine traffic safety and the environment by introducing the larger trucks to roadways without proper analysis or adequate public review.

3

Nearly every year weather conditions, landslides, collisions and other events create road closures along US Hwy 199, throughout the project’s seven spot locations. Instead of planning for more access for trucks deemed unnecessary by a majority of businesses served by these shipping routes, Caltrans might serve the region more responsibly by addressing the needed repairs for current and predictable conditions, instead of planning a costly and damaging project that could impact the region for time immemorial.

4

This proposal and the available technical studies used to prepare the data within the DEIR/EA fail to demonstrate an adequate need for STAA access, and could further degrade the unique character of the region.

5

The DEIR has failed to demonstrate need for the main purpose of these highway projects: the need to provide access for STAA vehicles. In fact, the DEIR traffic surveys have demonstrated a clear lack of substantive need. And the DEIR traffic study makes erroneous and misleading calculations about additional daily trucks.

The total project costs would be very great, especially if the DEIR scope, or range of the projects is found to be insufficient and additional tight spots, railings, and rockslides are found to need correction. A Comprehensive Study of Routes 197/199 dated June

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1998, Del Norte Local Transportation Commission, estimated costs at \$29 million. A Report to Improve Mobility and Accommodate Large Vehicles on Routes 197 and 199 in Del Norte, dated March 2006, Cal Trans District 1, estimated the costs of projects in the DEIR to be about \$34 million. The DEIR estimate, with a limited scope, is approximately \$22 million.

To justify such a great expense, the DEIR should demonstrate a substantial need for STAA trucks. However, the DEIR Traffic Analysis Study by Fehr and Peers 2010 reveals quite the opposite. The Fehr and Peers traffic study conducted a detailed survey of businesses that use or provide trucks. Both producers and shippers were asked many questions about current truck use and potential use of STAA trucks. The results of this survey are astonishingly clear, the need for STAA trucks is limited and insubstantial.

Most potential users (probably 90% of overall highway truck volume) such as Home Depot, Reddaway Shipping, United Van Lines/Mayflower, Safeway, Unified Western Grocers, Rumiano, Green Diamond Resource Company, Custom Trucking, Joe Costa, etc, clearly stated that STAA access would not affect them, nor benefit them, and that they would not be putting STAA trucks on the road.

The only user exception that would have an apparent benefit is the local lily bulb industry. Fehr and Peers summary confirms this. Most potential users answered the survey questions with a resounding NO:

For most producers, when asked if a restriction of truck size in Del Norte is an impediment- they answered NO. As stated, this is because most shipments max out on weight, and the smaller California legal trucks are sufficient.

Most producers stated they are currently using CA legal trucks and would continue to do so after improvements are made. For most producers, when asked would STAA 199/197 improvements create expansion opportunity- they answered NO or doubtful.

Fehr/Peers traffic analysis estimates that a mere 8 STAA trucks per day under existing conditions would use the improved highway (page ES 2-4 Fehr and Peers, latent demand). But this is an inflated, inaccurate figure. Home Depot stated that they use Reddaway, and Reddaway answered NO to underloaded trucks (they use all smaller CA legal trucks, because of weight max out); NO to combining loads opportunities; NO to changing routes; and doubtful change in number of trucks or demand with STAA improvements. The other shippers answered no as well: United Van Lines/Mayflower uses NO underweight trucks; will have NO combine loads opportunities and NO demand changes. Custom Trucking, a shipper of groceries, also maxes out on weight and would not combine or chain loads onto STAA type trucks.

Goselin Trucking stated no changes, and raises a new potential hazard concern: that many drivers out of the area (STAA drivers) aren't used to driving our narrow highway. Even if the spot fixes are done, Hwy199 will remain narrow and winding and inherently dangerous. Local drivers know this.

6
cont.

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The Producers answered NO: Safeway said NO to #2, is restriction of truck size in DN an impediment; and NO to #3, would STAA improvements create expansion opportunity; and so did Rumiano Cheese producer answer NO to all as well.

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cont.

In addition, the scope of projects and range of alternatives are inadequate. Public scoping requests for alternatives are not addressed, and public controversy for STAA 199/197 improvements were ignored.

7

Significant impacts that cannot be mitigated include a significant public safety hazard resulting from mandatory exemptions; a significant increased public safety hazard of landslides and rock slides; significant scenic impacts, significant property right of way acquisitions of small privately developed residential parcels; disruption of several communities located within project areas; extended period of construction with significant disruption of traffic.

8

In addition, ecological impacts that cannot be mitigated include the removal of old growth redwoods and numerous other tree removals at spot locations throughout the seven identified areas. Tree Root impacts were not adequately identified, and impacts to roots may be extensive. These methods are experimental and have not been proven safe for long-term tree health.

9

Home Depot stated that they use Reddaway, and Reddaway answered NO to underloaded trucks (they use all smaller CA legal trucks, because of weight max out); NO to combining loads opportunities; NO to changing routes; and doubtful change in number of trucks or demand with STAA improvements. The other shippers answered no as well: United Van Lines/Mayflower uses NO underweight trucks; will have NO combine loads opportunities and NO demand changes. Custom Trucking, a shipper of groceries, also maxes out on weight and would not combine or chain loads onto STAA type trucks.

10

Goselin Trucking stated no changes, and raises a new potential hazard concern: that many drivers out of the area (STAA drivers) aren't used to driving our narrow highway. Even if the spot fixes are done, Hwy199 will remain narrow and winding and inherently dangerous. Local drivers know this.

The Producers answered NO: Safeway said NO to #2, is restriction of truck size in DN an impediment; and NO to #3, would STAA improvements create expansion opportunity ; and so did Rumiano Cheese producer answer NO to all as well.

An additional 2.5 STAA trucks per day for lily producers seems very inaccurate as well. Bulb producers have estimated a total 150 round trips for the entire year. They do this over a two month period. That makes 75 (75/30) or 2.5 trucks per day, but only during the two month shipping period. The rest of the months are not shipping months, and register 0. But Fehr and Peers incorrectly indicate 2.5 new trucks per day for lily bulbs, and then inaccurately project that figure out for long term yearly figures. This is no little

11

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mistake. 2.5 times 365 results in a yearly exaggeration of 600% more lily bulb trips than exists. Please explain, and more appropriately show what the additional yearly truck rate would be for the different categories, rather than the daily additional truck load. Then extrapolate long term.

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cont.

A more accurate figure for daily average lily bulb trips is a mere $150/365=0.41$ additional daily trucks on average. Other additions or reductions from consolidation are not quantifiable, and may cancel each other out. It might be prudent to place the total increase at 1 additional average daily truck.

Looking towards the future, to predict how many STAA trucks will be on the road in the year 2030, Fehr and Peers uses an annual growth rate of between 1 and 2% per year, on average precisely 1.44, to determine future use of trucks. Their results are again inaccurate. They claim they use Department of Finance (DOF) figures. However, a call on Aug 15, 2010 to lead planner of Del Norte, DOF for the last several years has been running at .994% for Del Norte County. Please correct the inaccuracy.

The DEIR calculation of 8 new STAA trucks per day now, and 92 trucks by the year 2030 seems inaccurate and baseless.

If we are to believe the actual survey question results, only the lily bulb producers will be adding trucks to the new STAA highway. With few other limited exceptions, and the chance to consolidate current user loads, and thus cancel exceptional additions the only clearly addition is the lily bulb users. They would put 0.41 new trucks on hwy 199/197 daily on average now.

According to our calculations, there would be at most, 2 average daily additional trucks by 2030, due to STAA changes, using DOF .994% growth.

Fehr and Peers uses an inaccurate exaggerated growth rate from the Del Norte General Plan predictions, which have proved to be inflated, and outdated. A phone call to Del Norte County Planning Dept., on August 16, 2010, lead planner stated that by the year 2010, at 2% Del Norte General Plan predicts a population of 41,000. However, we only have a population of about 29,547. And that for the very most recent years, State Dept. of Finance figures, as of July 1, 2009, the countywide growth has been slightly under 1% or .994%. So shouldn't the DEIR predictions be recalculated at a realistic rate?

Is it really sane to spend \$20 to \$34 million dollars to accommodate .41 additional daily average STAA trucks now, and only about 2 additional daily trucks by the year 2030? What is the threshold of need for such an expensive project? How is this judged?

12

Long term predictions, about how fossil fuel will be used in the far off future seems very precarious and uncertain. Will remote, agricultural communities rely less on shipping and focus more on local self sufficiency, providing valuable food essentials, rather than long distance shipping of luxury goods?

13

Couldn't the current needs of the lily bulb producers, 150 trucks per year, each traveling 160 miles out of their way, be met by a simpler solution than spending as much as \$34 million to fix the highway?

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cont.

Upon researching just why lily bulb producers need STAA trucks, it appears that lily bulbs require air circulation while packed, because bulbs generate heat. And it is important to have cool lily bulbs, and air circulation. So, the truck space is taken up by peat moss and air gaps in the boxes, as well as lily bulbs. If we could cleverly redesign lily bulb packaging to reduce this airspace/peat moss space, while retaining coolness and air circulation, then more bulbs would fit in a CA legal truck size, and ship more efficiently, weight wise. Wouldn't it be prudent to investigate this alternative? And is the easter lily bulb need so great as to necessitate changing the entire Hwy?

**Scope of projects and range of alternatives inadequate:
Hwy improvements between Hiouchi and Gasquet are needed
limited project locations are insufficient to provide safe STAA access**

14

Public scoping requests for alternatives are not addressed
Public controversy for STAA 199/197 improvements ignored
Mandatory exemptions for STAA improvements likely to result in unsafe STAA conditions

During scoping for the DEIR, Dori and David Bruce presented extensive detailed traffic accident history and analysis that clearly identified trouble spots between Hiouchi and Gasquet on hwy 199 that needed fixing. They raised concerns about extensive narrow segments without railing, and tight turns. We resubmit that information, and ask that the scoping comments be acknowledged in the record. As you can see from their diagrams and traffic records, some of the highest accident rates exist between Gasquet and Hiouchi. And yet no improvements are planned for this area. What is considered one of the most dangerous blind turns on the road exists at PM 6.2-.5, near Monument drive. The winding grade to the east of this blind turn is also treacherous. Recently 2008, a terrible diesel oil spill occurred here at PM 11.38, that put many gallons of fuel into our Wild and Scenic Smith River, also the source of our drinking water (please see attached news articles.) And yet no project alternatives are proposed within this area. Their concerns were completely ignored in the DEIR. There are no explanations of why these areas are not being addressed, and why the scope or range of projects is so limited, given the accident history and the physical characteristics that exist between Hiouch and Gasquet.

Eileen Cooper submitted brief comments asking for an alternative that focused on safety improvements without putting STAA trucks on hwy 199.

Many residents from the Hiouchi community on Hwy 199/197 and Gasquet on Hwy 199 voiced opposition at meetings. And yet the DEIR proceeded merrily along, ignoring the controversy, and actually proclaims:

"No significant public controversy has been raised for a particular project location or alternative."

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cont.

Why does the DEIR ignore these public concerns and requests for alternatives? Was the scope and range of the project alternatives predetermined, regardless of public inquiry?

We now submit previous past studies that were aimed at defining what needed to be done to fix highway 199/197. Somewhere between these past studies and the DEIR, fixing the area between Hiouchi and Gasquet was dropped for no apparent reason. Why is this? Please explain.

15

Let me describe the turn at the The Hiouchi Monument, approximately PM 6.5. The Monument turn is a 180 degree tight spot, with dangerous blind egress at monument drive and uphill. Solid rock walls tower straight above you with an inadequate shoulder buffer, and the river looms below on a straight drop downward. You can trace the truck scratches on the towering rocks. It is one of the more spectacular places in Del Norte, where views of the forks of the Smith River are breathtakingly beautiful, if only you could enjoy them, because you are literally holding your breath around this turn. And now somehow, we are going to put two STAA trucks passing each other on this turn, without any improvements. Please explain?

The Comprehensive Study of Routes 197 and 199 by CALTrans District 1, June 1998, clearly identified (page 15 attached) improvement needs here at PM 6.2 to PM 12.87 costing \$9 million. What happened to consideration of the improvement needs here?

Mandatory exemptions for STAA improvements likely to result in unsafe STAA conditions

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Even within the proposed project alternatives, the goal of providing safe STAA access will not be met at two locations.

"A Mandatory design exception would be required."

DEIR page 1-17, Patricks Creek Narrows #3 location-
"does not meet Department standards for shoulder widths and clear recovery zones."

DEIR page 1-13, Patricks Creek Narrows #1 location-
"Does not meet Dept. standards for shoulder widths." The slopes consist of
"unconsolidated cobbles and boulders."

The DEIR mandatory exemption reason is geologic instability, prohibiting cutting into the slopes for adequate widening of the road.

**Significant impacts that cannot be mitigated:
significant public safety hazard of landslides and rock slides**

17

significant scenic impacts that cannot be mitigated

For Patricks Creek Narrows #2, DEIR page 1-15, The common element for all proposed construction alternatives will excavate 20,000 cubic yards from the rock cut slope, 100 feet above the highway, exposing 1 acre of newly excavated rock slope. Rock fall is expected after construction, and permanent rock-fall mitigation will be required.

The DEIR acknowledges that the upslopes along this river corridor have great geologic instability, and that is the reason given for mandatory exemptions, to reduce excavation. And yet, we are exacerbating this problem wherever extensive cut slopes are proposed.

DEIR Page 1-17 The Narrows, widening toward the river was considered too costly, so it was dropped. Widening will be by excavation into the cut slope- into "soft material," with heights of upto 15 feet on irregular rock slopes with vertical overhanging. Sliver cuts will be done.

Recent hwy improvement cuts have already resulted in severe rockslides, and permanent unattractive curtain retaining mechanisms are proposed as mitigation at various locations. The Smith is designated as a Wild and SCENIC River, and the beauty of the river corridor is important to us, and our largely tourist economy. We consider the suggested permanent rock retaining curtain walls to be a significant scenic detriment; and the increased falling rock hazards due to new extensive excavations to be a significant public health hazard that cannot be fully mitigated. The DEIR does not acknowledge these significant impacts that cannot be mitigated. As I write this, I think of one of my dearest friends, who almost lost her life, as a giant boulder fell on her car along Hwy 199, from a roadside cut slope, and the boulder almost pushed her into the river. Her car was totaled, but luckily she survived.

We ask for a comprehensive enumeration of all cut slope areas for each alternative, and the type of rock or material, and the quantity of material to be excavated at each of these sites/alternatives.

The DEIR asserts rockslide hazards from slope cuts can be mitigated using unattractive nets. We disagree. We have seen continual slides along our highway at various new places, due to road cuts. We ask for highway safety/patrol history data on rock slides along Hwy 199/197 throughout the last twenty years. And we ask for a history of slope cutting roadwork on 199/197, and preventative measures that were done in response during this period of time, to substantiate that hazards from slope cuts can be mitigated.

One statement by truck users and critics alike is that it would be a good thing to make the highway safer. And the public asked for an alternative that focused on highway safety alone, without consideration of accommodating STAA trucks. Many residents view putting large STAA trucks on our 199/197 road to be a significant road hazard. Such a safety only alternative would use a more gentle approach, with slight widening of shoulders in dangerous spots. Such a safety only alternative could significantly lessen the

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need for cut slopes on cobbled landslide prone hills. Such a safety only alternative would not require transforming an essentially back country road like 197 into a super truck hwy. It would leave the neighborhood along 197 in tact. Please consider the public's request. It may not be your choice, it may not be as easily fundable, even though it would be far less expensive, but it is the people's choice.

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cont.

Responses to Environmental Protection Information Center

Response to Comment 1

The comment states that the project is incomprehensible, and that the labyrinth of outcomes in the combined four projects has significant environmental, economic, and social impacts. It also requests an extension of the comment deadline and recommends the no-build alternative.

The project consists of seven locations; four locations had only one build alternative. Three of the seven locations had more than one build alternative, and those were Ruby 2, Patrick Creek Narrows Location 2, and Washington Curve. Ruby 2 and Patrick Creek Narrows Location 2 each had three build alternatives, and Washington Curve had two build alternatives. The Department combined the separate locations into one project for review because they shared the same purpose and need, and CEQA does not allow piecemealing, or separate consideration of, projects with the same purpose and need. The Department considers the public review period for the DEIR/EA to have been adequate, being longer than the required minimum number of days allocated for a public review of an EIR. The comment deadline was not extended.

None of the proposed alternatives for any of the proposed project locations were anticipated to produce significant economic or social impacts, according to the DEIR/EA (see DEIR/EA Section 2.5 and Chapter 3 and Response to Comments 7, 8, and 9 for Center for Biological Diversity). Potential significant environmental impacts were proposed if the Two Foot Shoulders Alternative or Four Foot Shoulders Alternative was selected for Ruby 2 due to proposed removal of large redwoods; however, the Department has selected the Two-Foot Widening in Spot Locations Alternative as the preferred alternative, and no significant impacts are anticipated from this alternative since no large redwood trees will be cut. No other proposed project locations or alternatives had anticipated significant environmental impacts.

The no-build alternative would not meet the purpose and need. Furthermore, as stated in Grouped Response #1, the No Build Alternative would fail to be consistent with the DNLTC RTIP's Highways, Streets and Roads Goal, since the No Build Alternative would not accommodate long (STAA) trucks on SR 197 and US 199 (see Section 2.1.1.2 in the FEIR/EA). Please see Grouped Response #1 for more information on purpose and need.

No edits to the DEIR/EA are needed regarding this comment, although edits were made in Chapter 1 of the FEIR/EA to clarify the purpose and need.

Response to Comment 2

This comment states that this project is one of many projects that the Department has proposed to lift restrictions for STAA trucks to travel through Del Norte and Humboldt Counties, allowing SR 197 and US 199 to be reclassified to allow STAA trucks and become part of the STAA truck route network. It also states that road improvements are needed to improve safety, but no need exists to reclassify SR 197 and US 199. The US 101 Richardson Grove Improvement Project is the other proposed project that would make improvements to allow reclassification to allow STAA trucks; these trucks might travel between Del Norte and Humboldt Counties, particularly if the STAA restrictions were lifted for SR 197 and US 199. See Chapter 1 of the Final EIR/EA and Grouped Response #1 for clarification of the project need, and see Grouped Response #2

regarding benefits of the project. See Response to Comment 1 for Environmental Protection Information Center (EPIC) for a discussion of the No Build Alternative.

The comment also discusses confusion regarding funding. See Grouped Response #2 for a discussion of how funding for the proposed project was originated.

The comment also states that significant environmental, economic, and social impacts would occur, but most businesses in Del Norte County will not use STAA trucks, and that those that would use STAA trucks would only do so for a limited duration each year. See DEIR/EA, PRDEIR/EA and FEIR/EA Chapter 2 for full discussions of impact analysis. See Grouped Response #1 for a discussion that clarifies purpose and need.

The purpose and need statement in Chapter 1 of the DEIR/EA was modified, as noted in the Grouped Response #1. No further revisions to the DEIR/EA are necessary.

Response to Comment 3

This comment states that the Draft EIR/EA failed to identify cumulative impacts that the project will have on the region as a whole. Please refer to Section 2.5, Cumulative Impacts, for the cumulative impact analysis in the DEIR/EA. Additional projects have developed since circulation of the DEIR/EA, so revisions to Section 2.5 were made to address the new projects.

Response to Comment 4

This comment states that the Department should address needed repairs for current and predictable conditions instead of planning the proposed project. The primary purpose of the project includes Federal requirements that the Department must meet. Addressing current safety issues is one of several benefits of the project. There are several other projects being developed in this corridor to address maintenance, repair, and improvement needs. Please see Chapter 1 of the Final EIR/EA and Grouped Responses #1 and #2 for a clarification of the project need and additional benefits of the project.

No revisions to the DEIR/EA are necessary.

Response to Comment 5

Regarding the comment that the “proposal” and technical studies, including traffic surveys, fail to demonstrate an adequate need for STAA access, please see Grouped Response #1 and the revised purpose and need section of Chapter 1 in the final EIR/EA for clarification of the need. Regarding the statement “and could further degrade the unique character of the region,” it is unclear as to what “unique character” refers to. If “unique character” refers to visual resources, please see Grouped Response #3. If it refers to large redwood trees, please refer to Grouped Response #4. If it refers to the Smith River and/or Wild and Scenic River corridor, please refer to Grouped Response #5.

Please see Grouped Response #9 regarding the comment that the DEIR traffic study makes erroneous and misleading calculations about additional daily trucks.

No revisions to the DEIR/EA are necessary.

Response to Comment 6

This comment states that the project's monetary costs would be great and cites varying cost estimates. Cost estimates are anticipated to vary, depending on the project details and cost of materials at the time of the estimate, and knowing that costs of materials fluctuate annually. See Grouped Response #2 for a discussion of costs versus benefits. The Community Impact Assessment (Trott 2010) describes the economic benefits of the project and the Del Norte Local Transportation Commission Goods Movement Plan (DNLTC 2007) considers this project to be a high economic priority for the county.

The comment also states that the DEIR should demonstrate a substantial need to justify such a great expense, but that the traffic study indicates that there would be few trucking companies that would use STAA trucks. It also states that the estimated trucks per day figure is inflated. Please see Grouped Response #1 and the purpose and need section of Chapter 1 in the FEIR/EA regarding purpose and need concerns. Please see Grouped Response #9 regarding the comment that the DEIR traffic study makes erroneous and misleading calculations about additional daily trucks.

The comment also states that one trucking company raised the concern that STAA drivers out of the area aren't used to driving the narrow highway, and that local drivers know that the highway will remain narrow and winding and dangerous. The proposed project would improve safety on the highway for all users by increasing shoulder widths, increasing sight distance and improving the geometrics of the highway. See Grouped Response #8 for a discussion on safety.

No revisions to the DEIR/EA are necessary.

Response to Comment 7

This comment asserts that the scope and range of alternatives is inadequate and that public requests for alternatives were not addressed. Chapter 1 of the Draft EIR/EA discusses some alternatives to project locations. In regard to the "no-build" alternatives, while increased signage and law enforcement could potentially help increase safety, those measures would not address the primary need for the project. Please see the revised Need statement in Chapter 1 of the FEIR/EA and Grouped Response #1 for clarification of the project purpose and need. Please see the Grouped Responses, which address commonly mentioned concerns from public comments for circulation of the DEIR/EA, and many of which were also public concerns mentioned in the scoping comments received for the Notice of Preparation. Specifically, see Grouped Response #2 for a discussion of costs versus benefits of the proposed project. See Grouped Response #7 for a discussion of inadequate range of alternatives and no-build alternatives.

No revisions to the DEIR/EA are necessary.

Response to Comment 8

The comment states that significant safety impacts cannot be mitigated due, in part, to "mandatory exemptions". When a proposed project feature does not meet design standards outlined in the Highway Design Manual, an "Exception from Design Standards" is prepared to document the engineering decisions leading to the approval of each exception from a design standard. Due to oversight by multiple licensed Engineers throughout the Design Standard Exception process, the Department considers the resulting design exceptions to be safe for

implementing. In addition, the existing roadway at the project locations does not meet current design standards, so the proposed work will improve on the existing conditions. See Grouped Response #8 for more information regarding safety issues.

The comment states that significant safety impacts cannot be mitigated due, in part, to landslides and rockslides. Section 2.2.3 in the DEIR/EA discusses impacts regarding landslides and rockslides. See Grouped Response #10 for a discussion regarding proposed cut slopes and geological stability.

The comment states that significant impacts that cannot be mitigated include significant scenic impacts. Section 2.1.6 in Chapter 2.1 of the DEIR/EA evaluates the potential impacts to visual resources from implementation of the project. See Grouped Response #3 for further discussion regarding visual resources.

The comment states that significant impacts that cannot be mitigated include significant property right-of-way acquisitions. Permanent land use impacts, including right-of-way acquisitions, were evaluated in Section 2.1.1.1 in Chapter 2.1. Since the Two-Foot Widening in Spot Locations Alternative is the preferred alternative for Ruby 2, permanent right-of-way acquisitions for this alternative would involve fewer parcels on the west side of the roadway, and the total amount of land acquired for right-of-way would be smaller than for the other two alternatives in the DEIR/EA. The amount of proposed right-of-way acquisition is no more than 35 feet from the existing property boundary for properties along SR 197 that would be affected by the project. Regardless, mitigation proposed includes driveways that would be upgraded as part of the proposed project. Additionally, any mailboxes, fencing, signage, or landscaping (including ornamental trees) displaced by the proposed project on affected residential properties would be replaced in coordination with property owners. Property value effects resulting from the narrow strip acquisition of right-of-way from residential properties along SR 197 (North Bank Road) were not addressed in the DEIR/EA, although the size of the strip acquisitions and potential effects of the acquisitions on affected residential properties are evaluated in Section 2.1.1, "Land Use." Homeowners would be compensated for the value of property acquired for right-of-way, which would offset the property value effects of the acquisitions on individual property owners. Loss of property tax revenue attributable to the acquisition of additional right-of-way for the project was addressed in the Community Impact Assessment prepared for the project. As discussed on pages 4-86 through 4-88 of that report, right-of-way acquisitions from private properties would result in the estimated annual loss of property tax revenue ranging from \$7,120 to \$10,940 annually, based on the countywide 1% property tax rate. On average, Del Norte County receives about 18% of the property tax revenues generated by the 1% tax levy on the value of properties within its jurisdiction. Therefore, property tax revenue losses to Del Norte County would range from an estimated \$1,280 to \$1,970, representing less than 0.1% of its total property tax revenues. This loss would not be substantially adverse.

The proposed approximate 35-foot right-of-way acquisition was developed to be consistent with the Department's Highway Design Manual, but the reason this right-of-way acquisition is important to the Department and is being proposed is to provide access for future maintenance of the facility.

The comment states that significant impacts that cannot be mitigated include disruption of several communities within project areas. Community impacts were evaluated in Section 2.1.3 in Chapter 2.1 of the DEIR/EA. As discussed in that section, effects on community cohesion are not expected to be substantial under the proposed project because SR 197 and US 199 already separate existing neighborhoods on both sides of the highway, and the increase in truck traffic through these communities and concentrations of residences resulting from the project's removal of STAA trucking restrictions would be minor. As discussed in DEIR/EA Section 2.4.3, implementation of the proposed project would include impacts such as temporary access and circulation delays. Please also see Section 2.1.1.1, particularly the section on Development Trends (page 2.1-6), for discussion regarding how the Del Norte County General Plan provides numerous growth-management goals, objectives, and policies to guide future development in the county, including emphasizing growth within or adjacent to existing communities. As discussed in DEIR/EA Section 2.1.1.1, Policy 3.C.5 of the County General Plan states that future development in the county shall be orderly and contiguous with existing development and district boundaries, that is, future development will likely remain centered within and adjacent to the Crescent City urban services boundary and along the US 101 corridor. Rural, outlying areas of the county that are not served by public water or wastewater systems will likely continue to develop at lower densities per acre. No development would likely occur on state- or federally owned lands in the county. Also stated on page 2.1-17 of the DEIR/EA, no additional residential construction projects or subdivisions are currently planned in the vicinity of the proposed improvements, so the potential for future residential or commercial development near the project sites is considered very limited. See Grouped Response #8 for a discussion regarding the anticipated increase in truck traffic after construction and under future conditions, which is important to consider when addressing potential impacts and disruption to local communities that might occur as a result of the proposed project. In summary, the traffic analysis conducted for the DEIR/EA indicates no substantial adverse impacts on the roadway, transit, bicycle, or pedestrian systems or their operation within the study area based on the anticipated small increase in heavy-truck traffic through roadside communities, and, consequently, the community impacts analysis and DEIR/EA state that minimal changes are anticipated for the rural character of the area in the proposed project vicinity and for community cohesion. Stated another way, effects on community cohesion are not expected to be substantial under the proposed project because SR 197 and US 199 already separate existing neighborhoods on both sides of the highway, and the small increase in truck traffic under the proposed project would have little effect on changing the ability of residents to cross the highway.

The comment states that significant impacts that cannot be mitigated include an extended period of construction with significant disruption of traffic. See Grouped Response #2 for a discussion of temporary construction impacts.

No revisions to the DEIR/EA are necessary.

Response to Comment 9

This comment states that ecological impacts that cannot be mitigated include the removal of large redwood trees and numerous other tree removals in other locations. It also states that tree root impacts were not adequately identified, root impacts may be extensive, and "these methods are experimental and have not been proven safe for long-term tree health." See Grouped Response #4 for further discussion regarding potential impacts to trees.

Revisions in the FEIR/EA Section 1.3.7 were made to indicate the selected preferred alternatives, including the Two-Foot Widening in Spot Locations Alternative, which avoids cutting large redwood trees, and to clarify root impact analysis for large trees that would not be cut but would be near proposed construction activities. Section 2.3.1 of the DEIR/EA was updated with new information on tree impacts, based on the Forester/Arborist Report (Caltrans 2012), and was recirculated for public comment.

Response to Comment 10

This comment duplicates three paragraphs that were in Comment 6 from EPIC. See the response to EPIC's Comment 6, above.

No revisions to the DEIR/EA are necessary.

Response to Comment 11

This comment states that the traffic study inflated the number of trips per day for lily producers and requests a new analysis. A shared goal of California Environmental Quality Act and National Environmental Policy Act is to ensure that potential environmental impacts of a project are adequately disclosed; therefore a conservative approach is typically taken to ensure that potential impacts are not missed. The traffic analysis for the proposed project follows this conservative approach and analyzes the peak hour conditions of traffic on a spring/summer day when lily bulbs may be likely to be shipped. Recommended practice documents from the Transportation Research Board do not recommend, and the Department does not analyze, traffic on an Annual Average Daily Traffic (AADT) basis.

This comment states that the traffic study used an inaccurate growth rate and requests a correction of the inaccuracy. The growth rates used in the traffic analysis were based on growth rates provided by the Department and are consistent with the Employment Development Department and Department of Finance. The growth rates provided by the Department were derived from the following two sources: "California Motor Vehicle Stock Travel and Fuel Forecast" and "Traffic Volumes on the California State Highway System."

This comment also states that the traffic study estimate of new STAA trucks now and by the year 2030, and the exaggerated growth rate from Del Norte General Plan predictions, seems inaccurate. The estimation of short-term (17) and long-term (92) additional trucks is based on the application of survey data (i.e., latent demand), induced growth, background growth, and induced travel. The numbers in the analysis are based on the data that was provided/available at the time of the study. The analysis is conservative in nature to evaluate the impacts of additional trucks on the respective roadways. See Grouped Response #9 for more information regarding the methodology of the traffic study.

No revisions to the DEIR/EA are necessary.

Response to Comment 12

This comment questions the expenditure of the proposed project funding for the number of additional average daily STAA trucks that the commenter calculated and stated in the previous comment and questions what the threshold of need is for what the commenter considers an expensive project. See Grouped Response #1 and the revised purpose and need section of

Chapter 1 in the FEIR/EA for more information on purpose and need. See Grouped Response #2 for a discussion of costs versus benefits of the proposed project.

No revisions to the DEIR/EA are necessary.

Response to Comment 13

This comment questions whether remote communities will rely less on shipping and more on local self-sufficiency, and whether the needs of the lily bulb producers could be met by a simpler and cheaper solution, such as redesigning lily bulb packaging to accommodate preservation of the bulbs. Alternative shipping technologies are speculative and not a reasonably foreseeable alternative to this project. The traffic analysis is based on current shipping methods and needs of shippers and producers in the region. See Grouped Response #1 and the revised purpose and need section of Chapter 1 in the FEIR/EA for more information on purpose and need.

No revisions to the DEIR/EA are necessary.

Response to Comment 14

This comment states that public scoping requests for alternatives were not addressed, specifically that locations on US 199 needed fixing to address accidents; public controversy for STAA improvements on the 197/199 corridor were ignored, and mandatory exemptions for STAA improvements are likely to result in unsafe STAA conditions. It also mentions that another commenter requested an alternative for safety improvements without allowing STAA trucks on US 199.

Regarding the accidents on US 199 that were referenced, they were not related to STAA trucks, so they did not affect the Department's analysis when determining which locations needed improvements to allow STAA truck access while avoiding offtracking of the trucks into the oncoming traffic lane, which is an emphasis of the purpose and need. Typically, improvements are only included in a project if they address the purpose and need. See Grouped Response #1 and the revised purpose and need section of Chapter 1 in the final EIR/EA for more information on purpose and need. See Grouped Response #8 for a discussion regarding safety and for a discussion about how the project locations were determined. According to email documentation dated August 13, 2010, an investigation was conducted by Traffic Safety staff between Hiouchi and Gasquet on Route 199, between post miles 8.22/8.35 and 6.0/13.0, as requested by Eileen Cooper during phone communications with the Traffic Safety office in August 2010. On March 2, 2012, the Department initiated a formal Traffic Safety investigation on DN 199 from PM 6.0 to PM 12.0 for review of guardrail placement. The Department will be investigating this area to determine if any changes are necessary. As a result of these and other investigations within these segments, new projects have been initiated and are in varying stages of the project development process. In regard to curve locations, at PM 8.3 a major curve improvement project is scheduled and was recommended as a result of a previous Traffic Safety investigation. At PM 9.3, a project recently corrected the roadway subsidence in this area. At PM 9.8, a signing improvement was recommended as the result of a Traffic Safety investigation, and installed on February 26, 2009. These areas were determined by Design Engineer staff to not impede STAA vehicles, and therefore they are not being considered as part of necessary improvements for this proposed project, since the purpose and need of this project are centered on providing safe STAA access and being consistent with federal and state legislation and regional programs, plans, and policies.

See Response to Center for Biological Diversity Comment 6 for a discussion regarding how the Department addresses collisions and determines where, and whether, to propose improvements.

Regarding mandatory design exceptions and the concern regarding safety, Caltrans District 1 is very large geographically and includes the counties of Del Norte, Humboldt, Mendocino, and Lake. The terrain varies greatly and creates many engineering challenges because it is very steep and rugged in many areas along the District's highways. This is the case along most of the 197/199. When challenging conditions and constraints arise, the state engineering standards cannot be feasibly met, thus requiring design exceptions. Therefore, the Department strives to improve the highways, but within the constraints of the existing environment and attempting to avoid or minimize environmental effects. Many routes within District 1 are challenged to meet the state standard shoulder width of 8 feet because of the terrain and/or surrounding environment. Anywhere the Department can feasibly increase the shoulder width along these narrow highways is considered an improvement to the facilities and an enhancement to safety of the traveling public.

Regarding design exceptions for the shoulder widths at Patrick Creek Narrows Locations 1 and 3, these are necessary because of the constraints (i.e., geologic instability on the cut bank above the road, and a commitment to minimize negative effects to the river and riparian habitat on the opposite side of the road) that prevent widening to standard 8-foot shoulders. The state standard for 8-foot shoulders is not the same standard required for routes to be designated as federal STAA routes. STAA-approved highways are those that have broad enough curves and wide enough lanes and shoulders so that STAA trucks do not offtrack into the opposing travel lane. The amount of widening necessary to make the route STAA-approved was determined using a computer modeling software (AutoTURN) with an appropriately dimensioned truck model. Thus, based on the model results, the proposed increases in shoulder width would provide safe STAA access. Bringing the facility to current standards would provide many benefits, but it would have multiple, potentially substantial, environmental effects, and it is not necessary for safe STAA access. The Department is aware and mindful of the need to use a balanced approach in transportation projects and strives to provide the needed improvements while respecting and preserving our environment to the extent that is reasonable and feasible. At Patrick Creek Narrows Location 1, the existing shoulder width varies from 0 to 3 feet, and would increase to 4 feet (DEIR/EA page 1-13). At Patrick Creek Narrows Location 3, the existing 1-foot shoulders would increase to 4-foot shoulders (DEIR page 1-17). This would increase the shoulder width at both locations. From a safety perspective, any increase in shoulder width is an improvement to the existing highway facility. Increased shoulder width creates more recovery area for all vehicle types, increases sight distance, and provides more space for bicyclists and pedestrians. See Response to Environmental Protection Information Center's Comment 8 for more discussion on design exceptions and Grouped Response #8 for a discussion regarding safety.

Regarding an alternative for safety improvements without allowing STAA trucks on US 199, this would not meet the purpose and need. See Grouped Response #1 and the revised purpose and need section of Chapter 1 in the final EIR/EA for more information on purpose and need. See Grouped Response #7 for a discussion regarding range of alternatives and a safety-only alternative. See Grouped Response #8 for a discussion of safety. Also, see Grouped Response #1 for a discussion of how the No Build Alternative would fail to be consistent with the DNLTC RTIP's Highways, Streets and Roads Goal.

No revisions to the DEIR/EA are necessary.

Response to Comment 15

This comment asks why the area between Hiouchi and Gasquet was not included in the DEIR/EA and specifically mentions an area at PM 6.5 as being a narrow curve that the comment suggests seems like it would not accommodate STAA trucks. The Hiouchi-to-Gasquet section of US 199 was identified in preliminary studies (see DEIR/EA Section 1.2.2) used by the Department to identify potential locations that may need improvements to allow STAA access while avoiding STAA trucks offtracking into the opposite traffic lane. The Department made final selection of which locations would need improvements to allow STAA truck access while avoiding offtracking into the oncoming traffic lane by using computer modeling software (AutoTURN; see DEIR/EA Section 1.2.2 and Grouped Response #8). Only the two locations on SR 197 and five locations on US 199 that are included in the proposed project showed STAA trucks offtracking into the oncoming traffic lane using AutoTURN. All other locations that were identified in the above-mentioned reports, including the Hiouchi-to-Gasquet section of US 199, were removed from further consideration for this project because they did not show offtracking by STAA trucks into the oncoming traffic lane, and therefore they did not address the project purpose and need. See Grouped Response #8 for further discussion of how the Department's truck tracking trials and AutoTURN software were used to determine which locations needed to be addressed to allow safe STAA access. Also, see Response to Environmental Protection Information Center's Comment 14 for details on investigations by the Department's Traffic Safety unit and new projects that will address non-STAA safety concerns between Hiouchi and Gasquet.

No revisions to the DEIR/EA are necessary.

Response to Comment 16

This comment states that safe STAA access will not be met at Patrick Creek Narrows Locations 1 and 3 because mandatory design exceptions would be required. See Response to Environmental Protection Information Center's Comments 8 and 14 for a discussion regarding mandatory design exceptions and Grouped Response #8 for a discussion regarding safety. Also, the Department considers safe STAA access to be STAA truck travel that avoids offtracking of STAA trucks into the oncoming traffic lane; therefore, mandatory design exceptions do not relate to, and are not a measure of, the Department's consideration of safe STAA access.

No revisions to the DEIR/EA are necessary.

Response to Comment 17

This comment does not provide a comment on the DEIR/EA. The comment mentions text in the DEIR/EA regarding excavation of the slope at Patrick Creek Narrows Location 2, past geologic instability, anticipated rockfall, and mandatory design exceptions. See Response to Environmental Protection Information Center's Comments 8, 14, and 16 for more information regarding design exceptions, Grouped Response #8 regarding discussions on safety, and Grouped Response #10 and Response to Environmental Protection Information Center's Comment 19 regarding geologic instability.

The comment also includes a statement about significant scenic impacts that cannot be mitigated, but the comment does not state where or what the statement is specifically referring to. See Grouped Response #3 for discussions regarding visual resources and effects.

No revisions to the DEIR/EA are necessary.

Response to Comment 18

This comment does not provide a comment on the Draft EIR/EA. The comment repeats a portion of the Draft EIR/EA regarding the alternative of widening toward the river at The Narrows that was considered but eliminated from further discussion and mentions that sliver cuts will be done instead.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 19

This comment considers the threat of rockslides to be a significant public health hazard and the proposed permanent rock retaining curtain walls to be a significant scenic detriment. Please see Grouped Response #3 regarding a discussion of visual effects and Grouped Response #10 for a discussion about proposed cut slopes and geological stability.

The comment also asks for an enumeration of all cut slope areas for each alternative, type of rock or material, and the quantity of material to be excavated at each location. It also requests highway patrol data on rockslides on SR 197/US 199 throughout the last twenty years, a history of slope cutting work on this corridor, and preventative measures that were done in that time period. This portion of the comment does not address the DEIR/EA or purpose and need. Data or information, such as what is being requested, that does not pertain specifically to the project may be requested through the public records act request by contacting the Department's District 1 Claims Officer, Kathy King.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 20

This comment recommends a "safety only" alternative. This comment does not provide a comment on the Draft EIR/EA. Please see Grouped Response #7 for a discussion of the "safety only" alternative.

No revisions to the Draft EIR/EA are necessary.

Friends of Del Norte



Friends of Del Norte

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Protecting the WILDLANDS, WATERS and WILDLIFE of Del Norte County Since 1973.

Caltrans
Attn: Kim Hayler
Environmental Coordinator
PO Box 3700
Eureka, Ca. 95502

August 20, 2010

Comments for the Draft Environmental Impact Report/Environmental Assessment on the Hwy.199/197 Project to allow the passage of STAA Trucks.

Dear Ms. Hayler and Project Staff,

The members of the Friends of Del Norte deeply appreciate the professional approach and hard work demonstrated by Caltrans staff to fulfill the guidelines for the DEIR/EA for your project on Scenic Highways 199 and 197. Because these highways serve as the gateway to Del Norte County and Redwood National Park, it is imperative that we all give our best effort to do the right thing on this project.

The following pages contain our observations based on the information you have provided in the DEIR/EA. We hope that Caltrans staff will give serious consideration to our observations and concerns. Our foremost concern is the serious lacking of a demonstrated need by our local business and industry for this project. Your DEIR/EA shows that this project at best gives minimal benefits to our local economy. We are also disappointed to find that you have not addressed the fact that this project on Hwy.199/197 is directly tied the Humboldt County project in Richardson Grove as it creates an STAA Trucking loop from Richardson Grove to the Collier Tunnel that will have lasting impacts on local motorists. The following pages give detailed information for these and other concerns.

Don Gillespie August 20, 2010

The Friends of Del Norte is non-profit group advocating sound environmental policies for our region.

STAA 199/197 DEIR Comments and analysis

Contents:

Lack of Need for the purpose of the projects, STAA access

Scope of projects and range of alternatives inadequate:
Hwy improvements between Hiouchi and Gasquet are needed.
Project spot locations are insufficient to provide safe STAA access.

Public scoping requests for alternatives are not addressed
Public controversy for STAA 199/197 improvements ignored

Mandatory exemptions for STAA improvements likely to result in unsafe STAA conditions

Significant impacts that cannot be mitigated:
Significant public safety hazard resulting from mandatory exemptions;
Significant increased public safety hazard of landslides and rock slides;
Significant scenic impacts

Significant property right of way acquisitions of small privately developed residential parcels;
disruption of a community;
Extended period of construction with significant disruption of traffic;
Significant ecological impacts;
Tree Root impacts not adequately identified, impacts to roots extensive

Preferred DEIR alternatives have fewer impacts, as listed:
Ruby2, 2' spot location improvements
Patricks Creek Narrows #2: Down Stream bridge replacement with retaining wall/via duct
Washington Curve, retaining wall

Lack of Need demonstrated for the proposed projects: safe STAA access

The DEIR has failed to demonstrate need for the main purpose of these highway projects: the need to provide access for STAA vehicles. In fact, the DEIR traffic surveys have demonstrated a clear lack of substantive need. The DEIR traffic study makes erroneous and misleading calculations about additional daily trucks.

The total project costs would be very great, especially if the DEIR scope, or range of the projects

2

is found to be insufficient and additional tight spots, railings, and rock slides are found to need correction. A Comprehensive Study of Routes 197/199 dated June 1998, Del Norte Local Transportation Commission, estimated costs at \$29 million. A Report to Improve Mobility and Accommodate Large Vehicles on Routes 197 and 199 in Del Norte, dated March 2006, Cal Trans District 1, estimated the costs of projects in the DEIR to be about \$34 million. The DEIR estimate, with a limited scope, is approximately \$22 million.

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cont.

To justify such a great expense, the DEIR should demonstrate a substantial need for STAA trucks. However, the DEIR Traffic Analysis Study by Fehr and Peers 2010 reveals quite the opposite. The Fehr and Peers traffic study conducted a detailed survey of businesses that use or provide trucks. Both producers and shippers were asked many questions about current truck use and potential use of STAA trucks. The results of this survey are astonishingly clear, the need for STAA trucks is limited and unsubstantiated.

Most potential users such as Home Depot, Reddaway Shipping, United Van Lines/Mayflower, Safeway, Unified Western Grocers, Rumiano, Green Diamond, Custom Trucking, Joe Costa, etc, clearly stated that STAA access would not affect them, nor benefit them, and that they would not be putting STAA trucks on the road.

The only user exception that would have an apparent benefit is the local lily bulb industry. Fehr and Peers summary confirms this.

Most potential users answered the survey questions with a resounding NO:

Home Depot indicated that they would not change the number of shipments or shipping patterns in the event of STAA improvements because shipping patterns to regional stores are already well established.

For most producers, when asked if a restriction of truck size in Del Norte is an impediment- they answered NO. As stated, this is because most shipments max out on weight, and the smaller California legal trucks are sufficient.

Most shippers stated they have no underweight trucks, are currently using CA legal trucks, and would continue to do so after improvements are made.

For most producers, when asked would STAA 199/197 improvements create expansion opportunity- they answered NO or doubtful.

Fehr/Peers traffic analysis estimates that a mere 8 STAA trucks per day under existing conditions, would use the improved highway (page ES 2-4 Fehr and Peers, latent demand). But this is an inflated, inaccurate figure, as shown by the following examination of the survey.

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?On page 11, Fehr/Peers, why was one additional daily truck added for wood products? Wood chip, lumber, and grain shipper Joe Costa clearly stated that his trucks max out in weight so he would not change to STAA, and none of his trucks switch from STAA to CA legal now. Green Diamond lumber survey stated they are maxed out by weight, and they don't need or use larger trucks. Goselin Trucking stated no changes and they would not chain trucks. They ship lumber out and groceries in.

?South Coast Lumber is the exception, and they do 10 loads per week with anticipated 10% increase with STAA access. That comes to one more truck per week, or 1/7 additional daily average truck. Why did the DEIR add more than this? This increase may be offset by

consolidation of loads by current users such as Hambros.

Hambros is a noted other exception for being enthusiastic. And Opie cars in Eureka is another noted exception.

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cont.

From the survey answers the wood and lumber industry would not for the most part be making changes, as their California trucks are already maxed out in weight.

?On pages 10- 11, Fehr/Peers, inaccurately add daily trucks for retailers/general shippers, when the major retailers and shippers clearly stated that there would be no change in patterns or number of shipments, that there are no underweight trucks and no combining opportunities, and there is no impediment due to truck size. Please explain this unsupported addition for retailers/shippers.

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Home Depot stated that they use Reddaway, and Reddaway answered NO to underloaded trucks (they use all smaller CA legal trucks, because of weight max out); NO to combining loads opportunities; NO to changing routes; and doubtful change in number of trucks or demand with STAA improvements. The other shippers answered no as well: United Van Lines/Mayflower uses NO underweight trucks; will have NO combine loads opportunities and NO demand changes. Custom Trucking, a shipper of groceries, also maxes out on weight and would not combine or chain loads onto STAA type trucks.

Goselin Trucking stated no changes, and substantiates a potential hazard concern that the Friends of Del Norte previously raised: that many drivers out of the area (STAA drivers) aren't used to driving our narrow highway. Even if the spot fixes are done, Hwy199 will remain narrow and winding and inherently dangerous. Local drivers know this.

The Producers answered NO: Safeway said NO to #2: Is restriction of truck size in DN an impediment? And they answered NO to #3: Would STAA improvements create expansion opportunity? And so did Rumiano Cheese producer answer NO to all as well.

An additional 2.5 STAA trucks per day for lily producers seems very inaccurate as well. Bulb producers have estimated a total 150 round trips for the entire year. They do this over a two month period. That makes 75 (75/30) or 2.5 trucks per day, but only during the two month shipping period. The rest of the months are not shipping months, and register 0. But Fehr and Peers incorrectly indicate 2.5 new trucks per day for lily bulbs, and then inaccurately project that figure out for long term yearly figures. This is no little mistake. 2.5 times 365 results in a yearly exaggeration of 800% more lily bulb trips than exists. Please explain, and more appropriately show what the additional yearly truck rate would be for the different categories, rather than the daily additional truck load. Then extrapolate long term.

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A more accurate figure for daily average lily bulb trips is a mere $150/365 = 0.41$ additional daily trucks on average. Other additions or reductions from consolidation are not quantifiable, and may cancel each other out. It might be prudent to place the total increase at 1 additional average daily truck.

Looking towards the future, to predict how many STAA trucks will be on the road in the year 2030, Fehr and Peers uses an annual growth rate of between 1 and 2% per year, on average precisely 1.44, to determine future use of trucks. Their results are again inaccurate. They claim they use Department of Finance (DOF) figures. However, a call on Aug 15, 2010 to lead planner of Del Norte, DOF for the last several years has been running at .994% for Del Norte County. Please

correct the inaccuracy.

The DEIR calculation of 8 new STAA trucks per day now, and 92 trucks by the year 2030 is inaccurate and baseless.

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cont.

The actual survey question results indicate only the lily bulb producers will be adding a significant number of trucks to the new STAA highway during two months of the year. With few other limited exceptions, and the chance to consolidate current user loads, and thus cancel exceptional additions the only clear additions are the lily bulb users. They would put 0.41 new trucks on hwy 199/197 daily on average now.

According to our calculations, there would be at most, 2 average daily additional trucks by 2030, due to STAA changes, using DOF .994% growth.

Fehr and Peers uses an inaccurate exaggerated growth rate from the Del Norte General Plan predictions, which have proved to be inflated, and outdated. A phone call to Del Norte County Planning Dept., on August 16, 2010, lead planner stated that by the year 2010, at 2% Del Norte General Plan predicts a population of 41,000. However, we only have a population of about 29,547. And that for the very most recent years, State Dept. of Finance figures, as of July 1, 2009, the countywide growth has been slightly under 1% or .994%. So shouldn't the DEIR predictions be recalculated at a realistic rate? Please recalculate.

Is it reasonable and prudent to spend \$20 to \$34 million dollars to accommodate .41, or at most 1 additional daily average STAA truck now, and only about 2 additional daily trucks by the year 2030? What is the threshold of need for such an expensive project? How is this judged? The proposed actions do not seem reasonable or prudent.

6

Long term predictions, about how fossil fuel will be used in the far off future seems very precarious and uncertain. Will remote, agricultural communities rely less on shipping and focus more on local self sufficiency, providing valuable food essentials, rather than long distance shipping of luxury goods?

7

Couldn't the current needs of the lily bulb producers, 150 trucks per year, each traveling 160 miles out of their way, be met by a simpler solution than spending as much as \$34 million to slightly increase the radius of some curves in the highway?

Upon researching just why lily bulb producers need STAA trucks, it appears that lily bulbs require air circulation while packed, because bulbs generate heat. And it is important to have cool lily bulbs, and air circulation. So, the truck space is taken up by peat moss and air gaps in the boxes, as well as lily bulbs. If we could cleverly redesign lily bulb packaging to reduce this airspace/peat moss space, while retaining coolness and air circulation, then more bulbs would fit in a CA legal truck size, and ship more efficiently, weight wise. Wouldn't it be prudent to investigate this alternative? And is the easter lily bulb need so great as to necessitate these expensive projects?

Scope of projects and range of alternatives inadequate;
Hwy improvements between Hiouchi and Gasquet are needed
Limited project locations are insufficient to provide safe STAA access

8

Public controversy for STAA 199/197 improvements was ignored.
The mandatory exemptions for STAA improvements will result in unsafe STAA conditions.

During scoping for the DEIR, Dory and David Bruce presented extensive detailed traffic accident history and analysis that clearly identified trouble spots between Hiouchi and Gasquet on hwy 199 that needed fixing. They raised concerns about extensive narrow segments without railing, and tight turns. We resubmit that information, and ask that the scoping comments be acknowledged in the record. As you can see from their diagrams and traffic records, some of the highest accident rates exist between Gasquet and Hiouchi. And yet no improvements are planned for this area. What is considered one of the most dangerous blind turns on the road exists at PM 6.2-.5, near Monument drive. The winding grade to the east of this blind turn is also treacherous. Recently 2008, a terrible diesel oil spill occurred here at PM 11.38, that put many gallons of fuel into our Wild and Scenic Smith River, also the source of our drinking water (please see attached news articles.) And yet no project alternatives are proposed within this area. Their concerns were completely ignored in the DEIR. There are no explanations of why these areas are not being addressed, and why the scope or range of projects is so limited, given the accident history and the physical characteristics that exist between Hiouch and Gasquet.

8
cont.

Eileen Cooper submitted brief comments asking for an alternative that focused on safety improvements without putting STAA trucks on hwy 199.

Many residents from the Hiouchi community on Hwy 199/197 and Gasquet on Hwy 199 voiced opposition at meetings. And yet the DEIR proceeded merrily along, ignoring the controversy, and actually proclaims:

"No significant public controversy has been raised for a particular project location or alternative."

Why does the DEIR ignore these public concerns and requests for alternatives? Was the scope and range of the project alternatives predetermined, regardless of public inquiry?

We now submit past studies that were aimed at defining what needed to be done to fix highway 199/197. Somewhere between these past studies and the DEIR, improving the area between Hiouchi and Gasquet was dropped for no apparent reason. Why is this? Please explain.

9

The turn at the the USFS Monument, near Hiouchi, approximately PM 6.5, is almost a 180 degree tight spot, with dangerous blind egress at Monument Drive and uphill. Solid rock walls tower straight above you with an inadequate shoulder buffer, and the river looms below on a straight drop downward. You can trace the truck scratches on the towering rocks. It is one of the more spectacular places in Del Norte, where views of the forks of the Smith River are breathtakingly beautiful, if only you could enjoy them, because you are literally holding your breath around this turn. And now somehow, we are going to put two STAA trucks passing each other on this turn, without any improvements. **Please explain?**

The Comprehensive Study of Routes 197 and 199 by CALTrans District 1, June 1998, clearly identified (page 15 attached) improvement needs here at PM 6.2 to PM 12.87 costing \$9 million. What happened to consideration of the improvement needs here?

The DN 197/199 Corridor Extra Legal Load and STAA Vehicle Accessibility Study, March 2006, page 6, describes taped truck trials to determine dangerous turns, stating "Although these trials were conducted under CHP escort and at speeds lower than typical truck travel, the tapings illustrate the offtracking trucks demonstrate through tight radius curves."

if you drive slower, you can take turns much tighter. Every driver knows this. So, isn't it possible that some dangerous spots might have been overlooked? Was there any compensation for the deviation due to slower speeds during the tests? What kind of compensation? Shouldn't questionable spots be retested at actual use speeds for realistic results and recommendations?

This document, page 7, also says:

"Input concerning all pertinent issues from public agencies, California Highway Patrol (CHP), transportation industry representatives and the public is essential before the change can be implemented." What were the recommendations of CHP?

9
cont.

The public also had some great advice, reduce speeds on Hwy 199/197 to prevent accidents. The DEIR states that safety improvements can be considered when accident rates reach 1.5 times the national average for similar road conditions. What exactly does similar road conditions mean, and what did you exactly compare hwy 199/197 to for National Average ratings? We should know this information specifically to judge as to whether a fair comparison was made.

Some of the ratings given for various segments of 199 are much higher than the national average, but they are not quite above 1.5 times.

Please do not continue to ignore public input.

Mandatory exemptions for STAA improvements likely to result in unsafe STAA conditions

10

Even within the proposed project alternatives, the goal of providing safe STAA access will not be met at two locations.

"A Mandatory design exception would be required."

The DEIR mandatory exemption reason is geologic instability, prohibiting cutting into the slopes for adequate widening of the road.

DEIR page 1-17, Patricks Creek Narrows #3 location-
"does not meet Department standards for shoulder widths and clear recovery zones."

DEIR page 1-13, Patricks Creek Narrows #1 location-
"Does not meet Dept. standards for shoulder widths." The slopes consist of "unconsolidated cobbles and boulders."

Significant impacts that cannot be mitigated:
Significant public safety hazard of landslides and rock slides
Significant scenic impacts that cannot be mitigated

11

For Patricks Creek Narrows #2, DEIR page 1-15, The common element for all proposed construction alternatives will excavate 20,000 cubic yards from the existing rock cut slope, 100 feet above the highway, exposing 1 acre of newly excavated rock slope. Rock fall is expected after construction, and permanent rock-fall mitigation will be required.

DEIR Page 2.2-20/21- Patricks Creek Narrows #2, All alternatives require excavation from the existing cut slopes. The natural hillslope above the proposed retaining wall shows evidence of past instability.

The DEIR acknowledges that the upslopes along this river corridor have great geologic instability, and that is the reason given for mandatory exemptions, to reduce excavation. And yet, we are exacerbating this problem wherever extensive cut slopes are proposed.

DEIR Page 1-17 The Narrows, widening toward the river was considered too costly, so it was dropped. Widening will be by excavation into the cut slope- into "soft material," with heights of up to 15 feet on irregular rock slopes with vertical overhanging. Sliver cuts will be done.

12

DEIR Page 2.2-18 The Narrows has moderately to intensely fractured existing cut slopes, and rock falls affect this road.

DEIR Page 2.2-21 "Excavation of sliver cuts may decrease slope stability resulting in increased potential for rock fall and landslides as well as increased erosion."

DEIR Page 2.2-20 Washington Curve- The cut slope alternative seems very dangerous. There is the potential for rock fall and "pop-outs" after construction is complete. Could you please describe a pop-out. The current design has 2 - 8.5 foot wide paved shoulder and approximately 3 foot wide unpaved ditch to provide a catchment for falling rock.

13

Past highway improvement cuts have already resulted in severe, continuous rockslides, and permanent unattractive curtain retaining mechanisms are proposed as mitigation at various locations. The Smith is designated as a Wild and SCENIC River, and the beauty of the river corridor is important to us, and our largely tourist economy. We consider the suggested permanent rock retaining curtain walls to be a significant scenic detriment, and the increased falling rock hazards due to new extensive excavations to be a significant public health hazard that cannot be fully mitigated. The DEIR does not acknowledge these significant impacts that cannot be mitigated.

14

We ask for a summary enumeration and total of all cut slope areas for each alternative, and the type of rock or material, and the quantity of material to be excavated at each of these sites/alternatives.

The DEIR asserts rockslide hazards from slope cuts can be mitigated using unattractive nets. We disagree, and ask for data about Hwy 199 to substantiate such claims. There are continual rock slides along our highway at various places, due to road cuts. We ask for highway safety/patrol history data on rock slides along Hwy 199/197 throughout the last twenty years or so. And we ask for a history of slope cutting roadwork on 199/197, and preventative measures that were done in response during this period of time, to substantiate that hazards from slope cuts can or cannot be mitigated satisfactorily with the kind of severely fragmented rock facings that exists on Hwy 199.

The cumulative hazard impacts from existing and newly planned slope cuts is a substantial hazard that cannot be mitigated adequately.

15

One statement by truck drivers and critics alike is that it would be a good thing to make the highway safer. And the public asked for an alternative that focused on highway safety alone, without consideration of accommodating STAA trucks. Many residents view putting large STAA trucks on our 199/197 road to be a significant road hazard. Such a safety only alternative would use a more gentle approach, with slight widening of shoulders in dangerous spots. Such a safety only alternative could significantly lessen the need for cut slopes on cobbled landslide prone hills. Such a safety only alternative would not require transforming an essentially back country road like 197 into a super truck hwy. It would leave the neighborhood along 197 in tact. Please consider the public's request. It may not be your choice, it may not be as easily fundable, even though it would be far less expensive, but it is many people's choice.

Extended period of construction with significant disruption of traffic

16

The DEIR page 2.4-23, confirms that there will be significant impacts of disruption of traffic. Washington Curve retaining wall will have 175 to 300 day of nighttime closures. Patricks Creek Narrows #1-3, will have 80 to 100 days of full hwy closures without detour for 1 hour delays.

These closures are a significant hazard for emergency vehicles. These closures will be significantly damaging to the important tourist economy of Del Norte. Most excavation work needs to happen during the dry summer months, when our tourist season is in full swing.

Disruption of a community; significant property right of way acquisitions of small privately developed residential parcels

17

The DEIR claims that there will be no community discontinuity effects, as the residential community of Hiouchi along hwy 197 is not recognized as existing. We disagree, and consider the residential neighborhood along 197 and close to 199 to be a part of the community of Hiouchi. Residents walk, bicycle and drive to the nearby Jed Smith Park, and the Hiouchi Market. Along 197 residents cross frequently to visit each other and to go for a swim in the river, or to visit the riverside parks. There is frequent egress across and along the road to do all these activities. This is not a good place for a super truck hwy. What is the basis of conclusions about no community disruption?

The 197 Hwy improvement project will require extensive right of way acquisition of many small parcels. Roadside buffers and vegetation will be removed, leaving homes more exposed to noise and without vegetative screening. Some homes will become significantly devalued as a result. Mitigation cannot always compensate for such significant disruption that such a large project can have. Homes will become less private and less enjoyable. How are you going to mitigate for these effects?

18

If Caltrans has not carefully field marked the areas of intrusion, property owners may not be aware of the full impacts. Has the impact field been marked?

Significant ecological impacts:

Tree Root Impacts not adequately identified

19

Although the DEIR does a good job of identifying where all potential tree removals will be, it does not identify where or how many tree root systems will be effected. Only one paragraph is devoted to tree root damage mitigation, stating hand tools will be used around tree roots. However, hand tools can significantly damage and kill trees as well. Mitigation for tree loss should take these damaged trees into consideration as well. Please provide adequate information to evaluate and mitigate this impact. Adequate protected lands is the mitigation of our choice. How many trees are likely to have their roots damaged in the Ruby2, two foot spot location alternative, which is the alternative of our choice? Where are they located?

Northern Spotted Owl and Marbled Murrelets Impacts

Enumerated on pages DEIR 2.4-75 through 2.4-77, is foraging and dispersal habitat permanently taken from these listed endangered and threatened species. We ask for replacement of these losses, by land acquisitions into protected status. No compensation for these losses has been offered or mitigated. As enumerated:
Ruby 1 .16 acres

20

Ruby2 .25 acres- 2' spot locations
 PCN 1 1.00 acres
 PCN 2 3.00 acres- downstream with retaining wall
 PCN 3 .30 acres
 Narrows .40 acres
 Wash.C .60 acres- retaining wall

Total 5.71 acres

20
cont.

Preferred DEIR alternatives as listed:

The no build alternative is our preference. However, we do support safety enhancing projects to make current access safer. We reiterate our previous statements concerning a safety only alternative:

21

Truck drivers and critics both agree that it would be a good thing to make the highway safer. The public asked for an alternative that focused on highway safety alone, without consideration of accommodating STAA trucks.

Looking at the choices that were presented within the DEIR, our preferences are as follows:

22

Ruby2. Two foot spot location improvements

The Ruby2, two foot shoulder spot location improvements is preferred because there are fewer impacts to trees, including old growth trees, less habitat impacts to endangered and threatened species, less grading and sediment issues, and fewer impacts to the neighborhood in general.

Patricks Creek Narrows #2: Down Stream bridge replacement with retaining wall or via duct is our preferred alternative. Either one is fine with an arched bridge, because there will be less dangerous grading of steep upslopes, with less geologic hazard, and less potential sediment and landslide impacts. The scenic impacts are important here.

The Washington Curve retaining wall is our preferred alternative, again because of significant landslide concerns, resultant sediment issues, and scenic impacts from extensive uplope grading. There would be significantly less total excavation necessary. Aesthetic treatment is important.

Thank you for your consideration and attention to our comments.

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95521

Friends of Del Norte



DN-197/199 CORRIDOR EXTRA-LEGAL LOAD AND STAA VEHICLE ACCESSIBILITY STUDY



A Report to Improve Mobility and
Accommodate Large Vehicles on Routes 197
and 199 in Del Norte County

MARCH 2006

Friends of Del Norte

This study was produced by Caltrans District 1, Office of Permits. The point contact for this study is:

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TRUCK TRIALS

Since 1983, videotaping of truck trials have been staged on various highways within District 1. The Traffic Operations/Permits offices were involved in tapings beginning in 1994, covering several routes within District 1, including Routes 197 and 199 in Del Norte County. Prior to 1994, truck trials on various routes in Districts 1, 2 and 3 were taped by HQ & CHP personnel but did not include the DN-197/199 corridor. These tapings typically utilized longer vehicle combinations and did not address wide loads until 2003.

EXTRA-LEGAL LOAD TRIALS

Two truck trials to simulate permitted wide loads were taped in January and May of 2003. The January trial used a tractor-low boy combination of 10' wide and 65' overall length and the May trial utilized a 12' wide lowboy, 85' long. As expected, these trials demonstrated that when load widths approach the limits of existing lane widths, the oversize trailers would off-track onto the double yellow stripe and into the opposing lane.

STAA TRUCK TRIALS

The two most recent STAA truck trials on Routes 197 and 199 took place in August of 2003 and October of 2005. The August 2003 taping utilized a tractor-trailer combination of 71.5' overall length with a 53' trailer with 40' king pin to rear axle setting (KPRA). The October 2005 taping employed a longer tractor than used before to achieve a 75' long combination to better illustrate the industry standard. The latest taping also used a 53' trailer with 40' KPRA setting. Results of the latest trial with the longer vehicle did not produce evidence of additional off-tracking incidents that had been documented in earlier trials.

Evidence from these most recent trials validates the 1997 study of Route 199, which identified 12 areas in need of improvement for STAA access. Although these trials were conducted under CHP escort and at speeds lower than typical truck travel, the tapings illustrate the offtracking trucks demonstrate through tight radius curves. Route 197 was deficient at two locations.

Commenter-
highlighted text

EXTRA-LEGAL LOAD RECLASSIFICATION

Route 197

While improvements to Route 197, especially in width clearance, would assist in the overall safety of the route, none are required, as it is currently classified as a Modified Brown route with respect to permitted loads.

Route 199

The DN-197/199 Route Review Committee improvement strategies identified four locations in need of improvements in order for Route 199 to return to a Modified Brown route. Three of those locations that have been completed are as follows:

- A Minor B project to widen the northerly approach to Bridge #01-0015 (PM 24.1/24.2) was completed in 2002.
- The Washington Hill project (PM 26.1/26.3) widened the left shoulder of DN-199 and was completed in 2002.
- The Windy Point project (PM 26.7/26.9) implemented curve improvements and was completed in 2001.
- The Narrows proposed project (PM 22.7/23.0) to widen the left shoulder and achieve a 28' total width.

The fourth location at 'The Narrows' (PM 22.7/23.0) has been programmed in the District 1 SHOPP program and is currently under design. It will provide 12' lanes and 2' shoulders, this project is scheduled to go to construction in the summer of 2008 and upon its completion, Route 199 will be reevaluated with regards to extra-legal load classification. It is anticipated that this section of Route 199 from Bridge #01-0019 to the Oregon border will be reclassified back to the Modified Brown rating.

Reclassification of routes for permit loads required following guidelines set forth by the Caltrans' Office of Truck Services in HQ. Input concerning all pertinent issues from public agencies, California Highway Patrol (CHP), transportation industry representatives and the public is essential before the change can be implemented. The Office of Truck Services in HQ has developed a Route Color Classification Guide for requests to classify/reclassify a State route. This guide may be viewed in Attachment A.

Comments -
highlighted text

Friends of Del Norte

**COMPREHENSIVE STUDY
OF ROUTES 197 AND 199**

**CALIFORNIA DEPARTMENT OF TRANSPORTATION
DISTRICT 1**

IN COOPERATION WITH

DEL NORTE LOCAL TRANSPORTATION COMMISSION

JUNE 1998

Comprehensive Study of Routes 197 and 199

- **Additional scenic overlooks:** Caltrans would work with the US Forest Service and the State and National Parks to establish additional scenic overlooks on Route 199. Scenic overlook locations should be identified early, so their construction can be coordinated with other highway improvement projects (e.g., roadway rehabilitation projects).

The strategy for the portion of Route 199 from Route 101 to Hiouchi (KP T0.8/10.0 or PM T0.5/6.2) would be "maintain and rehabilitate at existing width". Safety improvements should be made when justified under the safety program. Most of this portion of Route 199 is within the Jedidiah Smith Redwoods State Park, and widening for capacity or STAA trucks is not considered to be an option.

- **Estimated Cost (upgrade to accommodate long trucks)**

The following is a summary of the estimated cost for improvement of Route 197 and Route 199 (from Route 197 to the California/Oregon State Line) to a 9.75-m (32') wide facility. This cost information is from Caltrans Traffic Operation's staff in their "Large Truck Highway Improvement" report. The 9.75-m (32') width used for this estimate was based on historic 2-lane highway development on Route 199; no concept width standard has been selected for these Routes. Costs cited are preliminary estimates, and should only be used in gauging the approximate magnitude of the cost of improvements. Such preliminary costs are often low, since not all of the geological or engineering problems that exist are readily apparent.

A few shoulder obstructions would continue to exist along Route 199 between Route 197 and Hiouchi (generally Redwood trees in Jedidiah Smith Redwoods State Park), and the Collier Tunnel (7.92-m or 26' wide) would not be widened. Estimates do not include any work on Route 199 between Route 101 and Route 197.

**SUMMARY OF ESTIMATED COSTS FOR IMPROVEMENT
ROUTES 197 AND 199
9.75-m or 32' WIDE SECTION**

LOCATION	ESTIMATED IMPROVEMENT COST
DN-197-KP 5.26/11.39 (PM 3.27/7.08)	\$ 4 MILLION
DN-199-KP 9.98/20.71 (PM 6.20/12.87)	\$ 9 MILLION
DN-199-KP 32.25/35.28 (PM 20.04/R21.92)	\$ 1 MILLION
DN-199-KP 35.58/38.95 (PM 22.11/24.20)	\$ 12 MILLION
DN-199-KP 40.25/44.26 (PM 25.01/27.50)	\$ 3 MILLION
TOTAL ESTIMATED IMPROVEMENT COST	\$ 29 MILLION

Comments highlighted text

Draft Comprehensive Study of Routes 197 and 199

- **Consistency With Other Planning Efforts:** This type of improvement would be less compatible with Six Rivers National Forest, Redwood National and State Parks, and Del Norte Economic Development Corporation planning than other potential strategies.
- **Public Support:** We heard little or no support for this type of improvement strategy at our agency and public scoping meetings for Routes 197 and 199.

Route Reliability

The high cost and environmental impacts to assure reliability through unstable areas of Route 199 limits our ability to do so. Further, the slides of the past several years were more active than previously experienced. When slides are active (continual rock fall), maintenance or construction crews cannot start slide removal until it is safe to do so. Our Maintenance Engineering Branch is currently investigating the use of remotely controlled loaders, which in the future may allow us to initiate road-opening activities, even during active rockfall periods. Under any strategy selected, Caltrans maintenance staff will work to minimize the length of road closures.

IMPROVEMENT STRATEGY SELECTION

The Del Norte Local Transportation Commission recommended the "Upgrade Routes 197 and 199 to Accommodate Long (STAA) Trucks" alternative improvement strategy to Caltrans Management at their April 9, 1998 meeting, with the following modifications:

- Reduce the minimum width requirement of 32' where feasible, while still addressing safety concerns and accommodating STAA trucks. Commenter: highlighted text
- Reduce the number of proposed additional passing lanes.
- Enhance the recreational opportunities and experiences.

Caltrans management concurred with this strategy in May of 1998, conditional on further study of segments where environmental factors, including large Redwood trees, could preclude upgrading to STAA truck standards. It is anticipated that the study would include a Project Study Report (PSR) that would identify and estimate the cost of projects to accommodate STAA trucks at these locations: (Route 197, KP5.3/9.8 or PM 3.3/6.1 (portions) and Route 199, KP 36.0/37.3 or PM 22.6/23.2). Commenter: highlighted text

FUTURE PLANNING

Caltrans staff will identify and recommend priorities for specific candidate projects to accomplish the "Upgrade Routes 197 and 199 to Accommodate Long (STAA) Trucks" alternative selected by the Del Norte Local Transportation Commission and Caltrans Management.

Responses to Friends of Del Norte

Response to Comment 1

This comment states that the commenter's main concern is that they see a lack of demonstrated need by local business and industry. It also states that the project gives minimal, if any, benefits to the local economy. Please see Grouped Response #1 and the revised purpose and need section of Chapter 1 in the Final EIR/EA for more information on purpose and need. See Grouped Response #2 for a discussion of anticipated benefits from the proposed project.

The comment also states that the DEIR/EA did not address the STAA trucking loop from Richardson Grove to the Collier Tunnel or associated impacts to motorists. See "Land Use" under Section 2.5.3.2 in the DEIR/EA, which states "The traffic analysis conducted for future (2030) conditions considered the effects of future background regional growth as well as the effects of the Richardson Grove Improvement Project on traffic from heavy trucks. By including the effects of regional growth and the Richardson Grove Improvement Project, the traffic study's assessment of future (2030) with-project conditions serves as a cumulative impact assessment of the change in the number of heavy trucks along the SR 197–US 199 corridor. Under future (2030) with-project conditions, an additional 92 one-way trips from heavy trucks are projected along the SR 197–US 199 corridor, with the percentage of total average daily trips attributable to heavy trucks increasing from 15.0% to 17.9% along SR 197, from 10.0% to 11.4% along the segment of US 199 between SR 197 and Gasquet, and from 17.0% to 19.2% along the segment of US 199 between Gasquet and the California/Oregon state line. The traffic analysis concludes that increased traffic from heavy trucks would be minimal along the SR 197–US 199 corridor, indicating that increases in truck emissions and noise, as well as resulting effects on the health and aesthetics of local communities along the route, would also be minimal."

No revisions to the DEIR/EA are necessary.

Response to Comment 2

This comment states that the DEIR/EA failed to demonstrate need for the purpose of the project, particularly with the traffic surveys, and the traffic study makes erroneous and misleading calculations about additional daily trucks. See Grouped Response #1 and the revised purpose and need section of Chapter 1 in the Final EIR/EA for discussions on purpose and need. Please see Grouped Response #9 regarding the comment that the traffic study makes erroneous and misleading calculations about additional daily trucks.

This comment also states that the proposed project costs are high and suggests that they might be higher if the scope or project locations are found to be insufficient, requiring additional work and costs. See Grouped Response #2 regarding costs of the project.

No revisions to the DEIR/EA are necessary.

Response to Comment 3

This comment states that the traffic study provided an inflated, inaccurate figure for the anticipated number of STAA trucks per day. Please see Grouped Response #9 regarding the comment that the DEIR/EA traffic study makes erroneous and misleading calculations about additional daily trucks.

No revisions to the DEIR/EA are necessary.

Response to Comment 4

This comment stated that Fehr/Peers inaccurately added daily trucks for retailers/general shippers. Please see Grouped Response #9 regarding calculations for additional daily trucks.

This comment also states a concern that US 199 will remain narrow and winding, even after improvements are made. See Grouped Response #8 for a discussion of safety concerns, including the narrow, winding condition of US 199.

No revisions to the DEIR/EA are necessary.

Response to Comment 5

This comment states that the number of trucks per day, for lily producers and the overall additional trucks per day after construction and by the year 2030, and the annual growth rate from the traffic study seem inaccurate. See the Response to Environmental Protection Information Center's Comment 11.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 6

This comment questions the monetary cost for the project, particularly if the number of additional trucks is so low. Please see Grouped Response #1 and the revised purpose and need section of Chapter 1 in the final EIR/EA for more information on purpose and need. See Grouped Response #2 for a discussion of costs versus benefits of the proposed project.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 7

This comment questions whether remote communities will rely less on shipping and more on local self-sufficiency, and whether the needs of the lily bulb producers could be met by a simpler and cheaper solution, such as redesigning lily bulb packaging to accommodate preservation of the bulbs. See Response to Environmental Protection Information Center's Comment 13, which addressed the same topics as for this comment. Additionally, economic benefits would extend beyond lily bulb producers.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 8

This comment states that the scope of projects and range of alternatives was inadequate, improvements between Hiouchi and Gasquet are needed, and limited project locations are insufficient to provide STAA access. See Grouped Response #7 regarding the concern that there was an inadequate range of alternatives. See Grouped Response #8 regarding safety and how the locations needing improvements were selected, which helps to address the concern about scope. See Response to Environmental Protection Information Center's Comments 14 and 15 for discussions regarding why Hiouchi and Gasquet are not included as project locations.

The comment also states that public controversy was ignored. The Department has been aware of local opposition, as well as local support, for the proposed project. The statement referenced in this comment was about controversy over any specific proposed alternatives in Section 1.2.3. Public opposition to alternatives which remove large redwoods at the Ruby 2 site has been noted. The Department has interpreted the opposition to be against the project in general, rather than against any specific proposed alternative considered in the DEIR/EA.

The comment also stated that mandatory design exceptions would result in unsafe STAA conditions. See Response to Environmental Protection Information Center's Comments 8, 14, and 16 for discussions regarding design exceptions and Grouped Response #8 for a discussion regarding safety.

The comment also mentioned the safety-only alternative. See Grouped Response #7 for a discussion of the safety-only alternative.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 9

This comment asks why the area between Hiouchi and Gasquet, including PM 6.2 to 12.87, are not included in the project locations. See Response to Environmental Protection Information Center's Comments 14 and 15 for a discussion of why this area is not included in the project, and see Grouped Response #8 for a discussion of speed limits and enforcement, safety and how project locations were determined.

This comment also states the concern that slower speeds used in the truck trials in the DN 197/199 Corridor Extra Legal Load and STAA Vehicle Accessibility Study may have resulted in some dangerous/questionable areas being overlooked and questioned whether these areas should be retested or analyzed differently to insure realistic results and recommendations. The truck trials were conducted at slower speeds with CHP escort to facilitate safe passage of the STAA truck during the test. The traffic in the opposite direction was not stopped, primarily because it is not feasible to close entire sections of highway in both directions for this type of study. The speeds varied and were not recorded as part of the study, primarily because trucks traveling through the corridor do so at various speeds depending upon the driver skill, comfort level, and other factors. At slower speeds, a trailer offtracks more to the inside, so having the truck travel at higher speeds, as suggested by the comment, could have potentially caused some locations to be overlooked. Since speed was not a determining factor for whether a truck would offtrack, and since higher speeds could have caused some locations to be overlooked, using higher speeds in the truck trials or making adjustments to the observed results was unnecessary. Using slower speeds allowed for the desired outcome, which was to determine the locations where trailer offtracking issues exist, to be achieved while at the same time maintaining a safer test environment for those conducting the test and for the traveling public.

The comment also asked what comments CHP had. The CHP had no comments for the DEIR/EA (although a comment card was submitted with CHP's contact information on the return address portion of the card, but no comments were written on the card).

No revisions to the Draft EIR/EA are necessary.

Response to Comment 10

This comment states that the goal of providing safe STAA access will not be met at Patrick Creek Narrows Locations 1 and 3 due to mandatory design exceptions for geologic instability, and it quotes two pages of the DEIR/EA that mention the inability to meet Department standards for shoulder width at these locations. See Response to Environmental Protection Information Center's Comments 8, 14, and 16 for more information regarding design exceptions. Grouped Response #8 regarding discussions on safety, and Grouped Response #10 and Response to Environmental Protection Information Center's Comment 19 regarding geologic instability.

No revisions to the DEIR/EA are necessary.

Response to Comment 11

This comment does not provide a comment on the DEIR/EA and is similar to Environmental Protection Information Center's Comment 17. The comment mentions text in the DEIR/EA regarding excavation of the slope at Patrick Creek Narrows Location 2, past geologic instability, anticipated rockfall, and mandatory design exceptions. See Response to Environmental Protection Information Center's Comments 8, 14, and 16 for more information regarding mandatory exceptions, Grouped Response #8 regarding discussions on safety, and Grouped Response #10 and Response to Environmental Protection Information Center's Comment 19 regarding geologic instability.

The comment also includes a statement about significant scenic impacts that cannot be mitigated, but the comment does not state where or what the statement is specifically referring to. See Grouped Response #3 for discussions regarding visual resources and effects.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 12

This comment does not provide a comment on the Draft EIR/EA and is similar to the Response to the Environmental Protection Information Center's Comment 18. The commenter paraphrases and quotes portions of the Draft EIR/EA regarding the alternative of widening toward the river at The Narrows that was considered but eliminated from further discussion and includes a quote regarding sliver cuts that will be done instead.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 13

This comment states concern regarding the Cut Slope Alternative for Washington Curve, specifically regarding the potential for rockfall and "pop-outs" after construction. The commenter requests clarification for the term "pop-outs." To clarify this term, when a slope is first excavated there is a period where the slope may relax (i.e., settle) and/or dilate (i.e., expand) due to changes in stress on the new slope face induced by the excavation. Sometimes, in response to the changes in slope stress, slope failures (i.e., rockfall or landslides) occur. Failures of this nature are often referred to as pop-outs. They tend to be localized and of a limited extent. See Grouped Response #3 and Section 1.3.7.4 in the Final EIR/EA for a discussion regarding a discussion of how the selected preferred alternative, the Cut Slope Alternative, would result in

more exposed rock compared to soil, with the new cut slope anticipated to be relatively stable. See Grouped Response #10 for a discussion regarding geologic instability.

Response to Comment 14

This comment states that permanent rock curtain retaining walls are a significant scenic detriment and that the increased falling rock hazards from new cut slopes would be a significant public health hazard that could not fully be mitigated. See Grouped Response #3 regarding a discussion of visual impacts and slope stability. See Grouped Response #10 for a discussion about geological stability.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 15

This comment states that the cumulative hazard impacts from existing and newly planned slope cuts is a substantial hazard that cannot be mitigated adequately. Please see Grouped Response #10 regarding stability of slopes and concern for geologic instability. Also, see the Geology/Soils/Seismic/Topography portion of Section 2.5.3.2 regarding a consideration of cumulative effects and geologic resources, which includes slope stability.

This comment also states that a “safety only” alternative rather than the proposed project would result in fewer environmental effects. Please see Grouped Response #7 regarding the “safety only” alternative.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 16

This comment states that there would be significant impacts with disruption of traffic, including nighttime closures at Washington Curve and full highway closures without detour for one hour delays at Patrick Creek Narrows Locations 1 to 3. See Grouped Response #2 and FEIR/EA Sections 2.4.3 and 2.5.3.2 for discussions regarding traffic delays.

This comment also states concern for the ability of emergency vehicles to travel during construction and nighttime closures and concern for tourism. See the response to Environmental Protection Information Center’s Comment 8 for a discussion regarding measures to minimize impacts to access and circulation, particularly of emergency vehicles, and how tourism impacts would be minimized. See Section 1.3.4.1 and Sections 2.4.3 and 2.4.5 of the Draft and Final EIR/EA for more information on General Traffic Management Plan Elements.

The comment also states that highway closures would be significant to the tourist economy for Del Norte County. See the measures in Sections 2.4.3 and 2.4.5 of the Draft and Final EIR/EA that are recommended to reduce potential effects of construction traffic delays on tourism, and see Grouped Response #2 and Draft and Final EIR/EA Section 2.5.3.2, in addition to Draft and Final Section 2.4.3, for discussions regarding traffic delays.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 17

This comment states concern that the DEIR/EA did not recognize the community of Hiouchi along SR 197, that the residents along SR 197 and close to US 199 consider the area to be part of the community of Hiouchi, and that there would be community disruption due to the proposed project allowing STAA truck access, which would affect the frequent crossing of SR 197 by residents. See Grouped Response #8 for a discussion of truck traffic and effects on local communities. That response considers the area between SR 197 and Gasquet, including Hiouchi, when discussing effects to local communities. See the Response to Environmental Protection Information Center's Comment 8 for a discussion regarding anticipated effects to communities along SR 197 and US 199 if the proposed project is constructed.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 18

The comment states concern that the proposed project would require extensive right-of-way acquisition of many small parcels on SR 197, including removal of roadside buffers and vegetation that would increase exposure of homes to noise in the absence of vegetative screening. It also states that some homes would become significantly devalued and questions the ability to adequately mitigate these effects. See Response to Environmental Protection Information Center's Comment 8 for a discussion of right-of-way acquisitions associated with the proposed project. See Section 2.2.6 of the Draft and Final EIR/EA regarding noise and vibration. In summary, no adverse noise and vibration effects from traffic are anticipated.

The comment also asks if proposed effects have been marked in the field. In general, the proposed effects were not marked in the field. Each location was surveyed and some remnants of staking, temporary benchmarks and other temporary flagging/tagging may remain.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 19

This comment states that the DEIR/EA did a good job of identifying where potential tree removals would be, but it did not identify where or how many tree root systems would be affected. The comment also states that only one DEIR/EA paragraph discusses mitigation for root damage and that the proposed mitigation of using hand tools could significantly damage and kill trees. It also requests information to evaluate and mitigate potential tree root effects and states that [setting aside] protected lands is the mitigation of the commenter's choice. The Department conducted an additional study and recirculated new information on this topic. No large redwoods (>36 inches dbh) would be substantially impacted by the preferred alternative. See Group Response #4 and the Forester/Arborist Report for more information.

Revisions were made to the Draft EIR/EA in Section 2.3.1. to discuss the new information, and these changes were circulated to the public for comment.

Response to Comment 20

This comment requests replacement of threatened and endangered species habitat that would be removed with construction of the proposed project. No nesting habitat for the federally listed northern spotted owl (NSO) or marbled murrelet (MAMU) will be affected. The areas that

would be altered by the proposed project are areas immediately adjacent to the roadway that are of low quality as foraging and dispersal habitat for NSO and MAMU. There is no statutory requirement for compensatory mitigation of dispersal and foraging habitat for federally listed species.

The marbled murrelet (MAMU) is also state listed. The California Endangered Species Act (CESA) requires “full mitigation” for take of state-listed species. Take is only considered as killing under CESA. No take of MAMU is anticipated under CESA. No MAMU nesting or foraging habitat will be affected.

No changes to the Draft EIR/EA are necessary.

Response to Comment 21

This comment expresses support for the No-Build alternative but also supports safety enhancing projects that do not involve STAA truck access. See the Response to Grouped Comment #7 for a discussion regarding the “safety only” alternative. See Draft and Final EIR/EA Section 1.3.2.8 for a discussion of the No Build Alternative, and see Final EIR/EA Section 1.3.7 for a discussion of identification of a preferred alternative for each location, which includes further discussion of the No Build Alternative.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 22

This comment states preference for the Two-Foot Widening in Spot Locations Alternative for Ruby 2, the Downstream Bridge Replacement Alternative with arch bridge option for Patrick Creek Narrows Location 2, and the Retaining Wall Alternative for Washington Curve. See the Final EIR/EA Section 1.3.7 for a discussion of the preferred alternative for each location, including the Two-Foot Widening in Spot Locations Alternative for Ruby 2 and the Downstream Bridge Replacement Alternative with arch bridge option for Patrick Creek Narrows Location 2. The Department selected the Cut Slope Alternative for Washington Curve for several reasons, including two seasons of construction instead of three for the Retaining Wall Alternative, the magnitude of the proposed wall that would have an unprecedented length and width for US 199 and a resulting greater visual effect than the Cut Slope Alternative would have. See Final EIR/EA Section 1.3.7.4 for a detailed discussion regarding the preferred alternative at Washington Curve. See Grouped Response #3 for a discussion of visual effects that were anticipated to occur if the Retaining Wall Alternative was selected for Washington Curve.

No revisions to the Draft EIR/EA are necessary with respect to this comment.

Sullivan, Mike (Del Norte County BOS)

197/199 Safe STAA Access Open House
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City/Cultural Center, 1001 Front Street

Name: Mike Sullivan
Address: 201 Houch D.
City: Crescent City State: CA Zip: 95531
Representing Name of Organization or Agency: Del Norte BOS
Comments: → These improvements are a vital to our local economy - 1

Please return by August 23, 2010

Response to Mike Sullivan (Del Norte County BOS)

Response to Comment 1

This comment does not provide a comment on the Draft EIR/EA. The comment expresses support for the proposed improvements.

No revisions to the Draft EIR/EA are necessary.

3.3 Individuals

Following is the index to 25 individual written comments. All written comments submitted by the following individuals can be found in alphabetical order by last name.

- Bankston, Oedus & Solveg
- Bankston, Oedus – comment card
- Bankston, Solveg – comment card
- Bertrand, Wendy Scott
- Brown, Susan
- Bruce, Donald
- Bruce, Doreen
- Cooper, Eileen
- Czapla, Carol
- Devlin-Craig, Brenda
- Elicker, Norberto – comment card
- Hague, Joe
- Miller, Ken
- Nowliss, Gekrgia – comment card
- Pederson, Richard – comment card
- Pounds, Jacob
- PoWeps, Vern
- Quick, Erika & Tony – comment card
- Rupert, DeAnn – 3 comment cards
- Simkhovitch, Perriane – comment card
- Souza, Ted
- Zuehlke, Elmer
- Zuehlke, John

Bankston, Oedus & Solveg

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/13/2010 03:32 PM -----

BOB BANKSTON
<solveg@sbcglobal.net>

To Kimberly_Hayler@dot.ca.gov

cc

Subject North Bank Road ProjectKim Hayler

08/12/2010 04:53 PM

___Kim Hayler;

We are concerned about our Redwood tree by the roadway, one of which is pictured in the Public Hearing Notice of July 13th. We live at 4925 North Bank Rd. We read that 27 redwood trees will be destroyed in the Project. Our Parcel number is 122 240 07. We would like to know if our OLD redwood is in danger of loss.

We can live with the road the way it is. We have done so since 1966. Plenty of trucks are already using the road as it is now.

Some improvements can be made now, but save the old Redwoods.

Oedus W.Bankston and Solveg Bankston.

Response to this letter would be appreciated. 707-458-3265

Response to Oedus & Solveg Bankston

Response to Comment 1

The comment states concern for a particular tree near or on their property as well as for “old redwoods” in general. The specific tree the comment refers to was reviewed by the project Design Engineer for potential to be cut, and the Design Engineer confirmed that the specific tree will not be cut. No redwood trees with a diameter greater than 36 inches will be removed or substantially affected by the preferred alternative. Where excavation is planned near redwoods with a diameter greater than 36 inches, measures will be taken to protect the roots. For details regarding the protocol for work conducted near roots of large redwoods, see Grouped Response #4.

No revisions to the Draft EIR/EA are necessary.

Bankston, Oedus

197/199 Safe STAA Access Open House
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City/Cultural Center, 1001 Front Street

Name: OEDUS W. BANKSTON
Address: 4785 NORTH BANK RD.
City: CRESCENT CITY State: CA Zip: 95531
Representing Name of Organization or Agency:
Comments: Ruby 2 should be left alone other than a bit of widening on the hill side. Large redwood should not be removed. Ruby 1 makes more sense, but this could easily be bypassed.
Please return by August 23, 2010 Pictures of Ruby 1 and 2 in your letters are welcome??

Response to Oedus Bankston

Response to Comment 1

This comment states that Ruby 2 should be left alone other than a bit of widening on the hill side. The Department's Design Engineer considered options for widening on either side of the road at Ruby 2 and determined that widening on the hill side, as proposed, would require cutting large redwood trees as well as either excavation of a high, steep slope into the already steep slope in the middle of the location's limits, which could lead to an unstable slope in that area, or construction of a retaining wall. The slope is primarily soil and likely would not maintain its new higher, potentially steep shape if excavated unless a retaining wall was installed. A retaining wall would be very costly, create an unnecessary visual effect, and is unnecessary since the Design Engineer was able to create a proposed design that would avoid cutting large redwood trees and minimize other negative environmental effects while allowing for increased sight distance and safe STAA truck access.

The comment also mentions that a tree at Ruby 1 could be easily bypassed, but there is no reference to which tree is being discussed. The only Build alternative for Ruby 1 avoids cutting large redwood trees.

The comment also asks if the pictures of Ruby 1 and Ruby 2 are backwards. The Department reviewed pictures in the DEIR/EA and found that there appear to be no pictures that are incorrectly identified.

No revisions to the Draft EIR/EA are necessary.

Bankston, Solveg

197/199 Safe STAA Access Open House
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City/Cultural Center, 1001 Front Street

Name: SOLVEG BANKSTON
Address: 4925 NORTH BANK RD.
City: Crescent City State: CA Zip: 95531
Representing Name of Organization or Agency:
Comments: I know the Rt 199 project is probably "set in stone" but taking down our Old Growth Redwood by our driveway would be destroying the whole meaning of living in the Redwood Forest.
Please return by August 23, 2010 Parcel # 122-240-07
Ruby Section - see photo from 1990 Project!

Response to Solveg Bankston

Response to Comment 1

This comment states concern that a large redwood by the commenter's driveway would be cut down. See Response to Oedus & Solveg Bankston's Comment 1, above.

No revisions to the Draft EIR/EA are necessary.

Bertrand, Wendy Scott

To Kimberly_Hayler@dot.ca.gov
Gary_Berrigan@dot.ca.gov

August 22, 2010

By Wendy Bertrand

Re: Public comment on the Draft Environmental Impact Report (DEIR),
regarding the 197/199 Highway, STAA project proposed by Caltrans and
Congressman Mike Thompson

Caltrans workers keep the Smith River Canyon road in good repair, and local managers recently lowered the speed limit to 50 miles per hour, bike lanes were added, and vehicle lanes were reduced from two to one — all positive concrete results with NO negative environmental impacts — all very much appreciated in Gasquet.

HOWEVER.

Bigger trucks are not desired in the Smith River Canyon because the curves and rocky geology form a rugged geography inappropriate for road expansion, and according to the California Fish and Game Guidelines, set for all California rivers, expanding the existing highway into the fragile riparian zone of the Smith River watershed would cause environmental disturbances and significant negative impacts. The Smith River is one of the most pristine and beautiful rivers in the world, flowing with our drinking water — we want it to stay that way.

It is unlikely that Caltrans would entertain constructing such a road today, now that we know more how important the riparian attributes are to a river's health, bank stability, riparian animal habitat, and how protective natural riparian vegetation is critical for at least 150 feet from the top of the bank. Maintenance and repair of the existing road is realistic and appreciated, while expansion threatens this county's ecological heritage and the quality of rural life to humans and wildlife.

Once again, Caltrans project managers and our county and state representatives push unreasonable highway expansion in the name of dim hopeful economic development based on unsatisfactory evidence, while ignoring the essential existing economic force of this community: the residents and visitors who love the river, and are the major road users and buyers of goods.

Bertrand, Wendy Scott

To Kimberly_Hayler@dot.ca.gov
Gary_Berrigan@dot.ca.gov

August 22, 2010

By Wendy Bertrand

In the mid 1990s, the community of Gasquet (via the Gasquet Community Council) wrote a Strategic Plan that was included by Del Norte County as part of the General Plan, a planning document deserving of respect. One of our plan's four topics targeted Caltrans with a request to limit the speed limit to 45 miles per hour, not to increase the hazards, risks, pollutions, and noise with road changes to accommodate potential use of bigger trucks.

Managing the road with lower speed limits and enforcement of those speed limits would do more to increased safety of all vehicles, without negative environmental costs or huge fiscal ones, than this project which plans to change a few of mother nature's curves, at a 26 million dollar price tag to taxpayers. Some might say that a few changes don't matter, but this is like erosion, a trickle soon and slowly grows into a roar out of control.

For this project, the negative environmental impacts are recognizably harmful and the project gains remain speculative, at best. Caltrans' engineers and planners have micro-focused on their business of building roads, while overshadowing and belittling the macro thinking for the environmental context, underestimating the risks and costs to land and society. High risk results like the BP's disaster in the Gulf and bankers' greed on Wall Street are no longer acceptable; we need a more conservative, respectful, and low risk approach to altering our natural resources and beautiful land features of the Smith River Canyon. Man over nature is not valid *everywhere* anymore.

Wendy Bertrand, Architect
Resident of Gasquet since 1990

Post Office Box 22,
Gasquet, Ca 95543

3

4

Responses to Wendy Scott Bertrand

Response to Comment 1

The comment states appreciation for recent improvements in the Smith River canyon and near Gasquet and states that the Smith River canyon is not an appropriate place to expand the highway for STAA truck access due to the rugged geology and significant effects that would occur to the sensitive riparian zone along the Smith River. The comment also states concern for potential negative effects that could occur to water quality, ecology, and the quality of rural life to humans and wildlife. The Department has coordinated, and will continue to coordinate, with California Department of Fish and Game to ensure that the proposed project will avoid and minimize negative effects to the Smith River watershed, its riparian areas, and other beneficial uses. As described in Draft EIR/EA Section 2.2.2, Water Quality and Storm Water Runoff, and Section 2.3.1, Natural Communities, to ensure beneficial uses of the Smith River are protected from potential effects from the proposed improvements, the Department will implement Best Management Practices (BMPs) at each project location to minimize or avoid degradation of storm water runoff flowing to the Smith River and its tributaries. Beneficial uses of the Smith River include: municipal and domestic water supply; water contact recreation; commercial and sport fishing; cold fresh water habitat; wild life habitat; rare, threatened, or endangered species; migration of aquatic organisms; spawning, reproduction, and/or early development; and others. See Response to California Regional Water Quality Control Board's Comments 1 through 5 and Draft and Final Section 2.2.1 for discussions regarding temporary and permanent measures to avoid and minimize effects to water quality due the proposed project. See Grouped Responses #2, #3, and #4 regarding a discussion of potential costs of environmental effects (including large trees), and see Draft and Final EIR/EA Sections 2.3 and 2.4.12 through 2.4.16 for discussions regarding measures to avoid and minimize effects to the biological environment, including wildlife. See Response to Environmental Protection Information Center's Comment 8 for a discussion regarding community effects and rural character of the area in the proposed project vicinity.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

The comment does not address the DEIR/EA; instead it states disapproval of the proposed project and states that economic gain would be minimal. It also cites local residents and visitors as the major road users and purchasers of goods. Please refer to Grouped Response #1 for clarification of the purpose and need of the proposed project and Grouped Response #2 for a discussion of costs versus benefits from the proposed project. Purpose and Need is also cited in Chapter 1 of the Draft and Final EIR/EA, and beneficial and adverse effects of the proposed project, including economic, recreation, and tourism effects, are also discussed in Chapter 2 of the Draft and Final EIR/EA.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

This comment cites a previous request in the Gasquet Strategic Plan, which was included in the Del Norte County General Plan, for the Department to reduce the speed limit through Gasquet to

45 miles per hour and states that speed reduction would be increase safety more than the costly proposed project. See Grouped Response #8 for a discussion regarding speed limit reduction. No revisions to the Draft EIR/EA are necessary.

Response to Comment 4

This comment states that the proposed project's environmental effects are harmful, that the anticipated benefits are speculative, and that the Department underestimated risks and costs to land and society. See the Grouped Response #2 regarding costs versus benefits of the Proposed Project for more information regarding the benefit vs. the monetary and environmental costs of the project. See Grouped Responses #3, #4, and #5 regarding discussions of environmental resources and anticipated effects from the proposed project. See Grouped Response #8 and Response to Environmental Protection Information Center's Comment 8 for discussions regarding anticipated effects on local communities, including access and circulation effects. See Response to Center for Biological Diversity's Comment 4 for discussions of whether the anticipated environmental effects are considered substantially adverse or significant for the purposes of NEPA or CEQA and whether the effects were adequately analyzed.

No revisions to the Draft EIR/EA are necessary.

Brown, Susan

Brown
16429 Highway 101 S.
Brookings, OR 97415

August 13, 2010

Kim Hayler
P.O. Box 3700
Eureka, Calif. 95502



Dear Kim,

For over twenty years my husband and I have vacationed in the Crescent City, California, and Brookings, Oregon, area. We love the pristine wild beauty of the woods, rivers and ocean beaches. So when we retired this past year it was an easy decision to locate in this area. Recently, we have read about road projects which will threaten the flow of traffic up and down Highways 199 and 197. Do we really need bigger semi-trucks moving through the Smith River scenic byway creating more traffic on Highways 199 and 197? We hope you will re-consider and let this area remain a haven for tourists Not STAA-Huge trucks.

Most Sincerely,

Susan R. Brown

Response to Susan Brown

Response to Comment 1

The comment states concern regarding proposed STAA truck access on SR 197 and US 199 and requests that the region maintain exclusion of STAA trucks and remain a haven for tourists; the comment does not address the DEIR/EA. Please see Grouped Response #1 for a detailed explanation of the purpose and need of the project, Grouped Response #2 for a discussion of temporary construction effects on tourism and potential permanent benefits to tourists, and Grouped Response #3 regarding the project's effects on visual resources.

No revisions to the Draft EIR/EA are necessary.

Bruce, Donald

Donald Bruce
550 Sierra Wood Road
Gasquet, CA 95543
(707) 299-6423

August 20, 2010

Kimberly Hayler
California Department of Transportation
P. O. Box 3700
Eureka, CA 95502



Comments on the Draft Environmental Document dated June 2010 for the 197/199 Safe STAA Access Project

Dear Kimberly Hayler:

I support the no build alternative to the CalTrans 197/199 STAA Access Project. I do support improvements and maintenance as needed to keep the highway navigable. I also support the replacement of any bridges that engineers deem necessary. However, the project will not make 197/199 safe enough for STAA trucks due to the long wheelbase of the truck tractor. Too many additional tight curves and short sight distances would remain.

In a letter to you (Kimberly Hayler) dated September 17, 2008 I pointed out that the highway between Hiouchi and Gasquet has many tight curves and narrow or no shoulders making it unsafe for STAA trucks. In fact, in the June 1998 study titled "Comprehensive Study of Routes 197 and 199 " by the California Department of Transportation, District 1, it states that one of the two areas of concern on Route 199 is "between Hiouchi and Gasquet." It stated that rock cut widening would be required at FIVE locations within this area. The other area of concern was from "south of Patrick Creek and south of Idlewild." So, why is the area between Hiouchi and Gasquet being ignored? Why wasn't the reason it's being ignored outlined in the DEIR of June 2010? The obvious areas of concern are at the following locations: The corner at Monument Drive at the North end of Hiouchi. It has an extremely sharp curve and a solid rock wall on one side with little or no shoulder on the riverside. Rockslides are also common here especially in the winter. This is simply a very dangerous spot in the best of circumstances. It's frightening to think of STAA trucks coming around this corner let alone meeting each other. The rock wall on one side and a straight drop to the river on the other continues until milepost (M. P.) 6.72. At M. P. 7.41 to 7.66 there is no guardrail on a narrow section of the road. Any over tracking of STAA trucks in this area will literally send you over the edge. At approximately M. P. 8.25 there is a very tight "S" shaped corner that STAA trucks will routinely over track on. M. P. 8.76 has no guardrail and drops directly to the river. Much of the road has little or no shoulder such as M. P. 8.84, which is also a sharp corner. M. P. 9.2 and 9.7 are dangerous curves. M. P. 10.28 has no guardrails and is a straight drop to the river. My wife and I have stopped to assist accident victims at least three times in this area over the past. People speed here because it's a straighter section of road. At about M. P. 11.56 there is no guardrail and no shoulder for about 100 to 150 yards. Any slight off tracking of STAA trucks will cause a collision with oncoming traffic or run them into the river. None of these dangerous areas were addressed in the DEIR of June 2010. Why?

Bruce, Donald

The DEIR of June 2010 did not address the concerns in a letter to you (Kimberly Hayer) dated September 16, 2008 regarding the following: How residents on North Bank Road (HWY 197) will be able to safely ingress and egress 197 from their driveways. And how will the road accommodate pedestrians, bicycles, and school buses with STAA trucks moving swiftly through. Additionally, no guardrails are being placed on the section of 197 that drops straight to the river with no shoulders on either side. It is undercut bank and is questionable whether it can withstand the weight of STAA trucks. At the April 2008 CalTrans public meeting in Crescent City, Kevin Church, Project Manager, stated there would be no reduction of the speed limit anywhere upon completion of the project. A study on "sight distances" also needs to be done more thoroughly on 197 and 199, as there are many areas with very limited visibility.

2

The accident rate between Hiouchi and Gasquet is very high. That information was submitted with the September 16, 2008 letter to you (Kimberly Hayer). Why was this not taken into consideration and discussed in the DEIR of June 2010? What mitigating factors are present to ignore this?

3

The DEIR of June 2010 also did not address specifics on how emergency vehicles will be accommodated while the construction phase is taking place. The heavy traffic on 199 will result in long lines during construction making it a serious impediment for emergency vehicles. Also, what is the plan concerning the transportation of high security inmates from Pelican Bay State Prison? Level 4 and SHU inmates (the highest level of inmates in the State) are routinely transported to the Rogue Valley for medical appointments. Also the California Department of Corrections uses 199 to transport busloads of inmates to and from Pelican Bay State Prison from other California prisons. Will this practice continue? If so, what additional security measures will be implemented to protect the public during the construction phase?

4

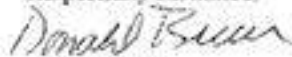
In addition, the DEIR of 2010 does not address the effect the construction phase will have on tourist dollars to Del Norte County, which could last up to five years and possibly longer. The extensive length of time of construction as well as delays and closure periods may result in many people avoiding the area. Many people from the Rogue Valley that routinely visit Del Norte County may curtail their visits resulting in a loss of revenue. Why hasn't this been considered, especially when the reason touted for STAA trucks is for an economic benefit?

5

Lastly, a review of a supporting document used in the DEIR titled "Traffic Analysis Report," which recorded the responses of businesses, revealed that only three claimed any significant benefit to having a STAA route on 197/199. It appears this is a tax-subsidized project for a few select businesses. If not illegal, it is certainly inappropriate given that there is no compelling reason to have a STAA route on highways 197 or 199.

6

Respectfully submitted,



Donald Bruce

Responses to Donald Bruce

Response to Comment 1

This comment states support for the No Build Alternative, maintenance of and improvements for the highway to maintain navigability, and replacement of bridges as deemed necessary, but it states that the proposed project would not make the SR 197-US 199 corridor safe for STAA trucks due to remaining tight curves, short sight distances, and narrow or no shoulders. See Grouped Response #8 for discussions regarding safety and how the Department's truck tracking trials and computer modeling software were used to determine which locations needed to be addressed to allow safe STAA access. Also, see Response to Environmental Protection Information Center's Comments 14 and 15 regarding why Gasquet and Hiouchi are not included as project locations and traffic safety investigations in the vicinity of Hiouchi and Gasquet.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment asks how residents on SR 197 will safely ingress and egress to driveways and how the highway will accommodate pedestrians, bicyclists, and school buses with STAA trucks "moving swiftly through." Ingress and egress to driveways will be unchanged or improved in the areas of the Ruby 1 and Ruby 2 projects. Driveways will be paved to the right-of-way line, which will improve conditions for some residents. Driveways will be improved, if necessary, to meet the Department's Encroachment Permit Standards for private driveways. Currently, sight distance from some driveways is limited by large redwood trees, and the Department will not be cutting those trees. In these cases, a design exception for sight distance standards will be pursued, and the existing sight distance conditions for those residents would not change. As stated in the DEIR/EA Section 1.3, the posted speed limit would not be raised. See Grouped Response #8 for a discussion regarding speed zone investigations and examinations of speed limits in Hiouchi and Gasquet. Additionally, the number of additional trucks per day is anticipated to be minor (see Grouped Response #8). For these reasons, the residents are not anticipated to experience an increased challenge for ingressing to, or egressing from, driveways onto SR 197. Similarly, accommodations for pedestrians, bicycles, and school buses on SR 197 will remain largely unchanged, with some minor improvement due to additional shoulder width through the project areas. Since the posted speed limit will not change, the number of additional trucks is anticipated to be minor, and shoulder width would increase in spot locations, special accommodation of pedestrians, bicycles, and school buses is unwarranted and does not meet the purpose and need (see Grouped Response #1 regarding purpose and need).

The comment also states concern for a portion of SR 197 where there is a lack of guard rail, there are no shoulders, the bank is reportedly undercut, and the commenter is concerned that the road could not withstand the weight of STAA trucks. Regarding the narrow section of SR 197 above the river, a post mile was not referenced, but it is likely that the commenter is referring to the area at PM 5.70. This location was under construction in 2012 for emergency slide repair. The project added more shoulder, a metal beam guard rail and cable mesh on the slope above the roadway to prevent rockfall. With respect to vehicle weight, STAA trucks are subject to the same weight limits as truck traffic that currently uses the route, so the road should be able to withstand the weight of STAA trucks.

Sight distance on a route is addressed on a project-by project basis, either by correction of the problem or design exceptions, when correction of the problem is impractical. If warranted, sight distance on a route or portion of a route may be assessed by the Traffic Safety office. A design exception for stopping sight distance will be obtained for a portion of the Ruby 2 project, as sight distance is limited by a cut bank, large redwoods and/or large redwood stumps. No sight-distance exception is expected to be needed on the Ruby 1 Project. See Response to Environmental Protection Center Comments 8, 14, and 16 for further discussion regarding design exceptions.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

The comment states that the accident rate between Hiouchi and Gasquet is very high. Please see the Response to Environmental Protection Information Center's Comments 14 and 15 and Grouped Response #8 for more information speed limits and on why Hiouchi and Gasquet and the surrounding areas are not included in the proposed project. The letter from September 16, 2008 was forwarded on to the Traffic Safety Office.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 4

This comment states concern for emergency and California Department of Corrections (CDC) vehicles travelling through the corridor during construction. As discussed several places in Chapters 1 and 2 of the DEIR/EA, emergency vehicle and CDC vehicle access through the construction zone will be addressed in the project's Transportation Management Plan (TMP). The contractor will be required to give Emergency vehicles priority through the work zone by the contract specifications. The Department will also work closely with the CDC to also insure that priority through the work zone is given to any CDC vehicles carrying inmates and that the CDC is able to provide any additional security measures within the work zone if needed.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 5

This comment states concern for economic effects on the tourism industry. See Grouped Response #2 for a discussion regarding access and circulation impacts and measures to avoid or minimize impacts on access and circulation, including for tourists and travelers using the SR 197/US 199 corridor.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 6

The comment questions the purpose and need of the project; it does not otherwise address the DEIR/EA, other than to summarize the results of the trucking survey in the traffic study. See Grouped Response #1 for discussion and clarification concerning the project's purpose and need.

No revisions to the Draft EIR/EA are necessary based on this comment.

Bruce, Doreen

Doreen Bruce
550 Sierra Wood Road
Gasquet, CA 95543

Kim Hayler
California Department of Transportation
PO Box 3700
Eureka CA 95502



August 20, 2010

COMMENTS ON THE JUNE 2010 DEIR REGARDING THE 197/199 SAFE STAA TRUCK ACCESS PROJECT

Dear Kim Hayler,

After reviewing the 197/199 Safe STAA Access Project 2010 Draft Environmental Impact Report (DEIR), I have the following concerns, comments and questions:

The need for this project as promoted to the residents of Del Norte County is dubious. The DEIR and subsequent comments made to the Daily Triplicate by Kevin Church admit that economic gain and growth to Del Norte County would be minimal, and the cost of essential good to residents would be unaffected by this project. Who will profit most from this \$26.5 million taxpayer funded project? In the DEIR, it appears the local Lily bulb growers will. How is it that a public agency, California Department of Transportation, can embark on this hugely disruptive and costly project when the overwhelming benefactor is a private business? Isn't this illegal, or a conflict of interest? Why doesn't the public's **actual need and safety** take precedence in this project?

A review of the June 1998 CalTrans, Comprehensive Site Study of Routes 197 and 199 (a supporting document to the 2010 DEIR) states that safety, environmental issues, high improvement costs, storm damage/road closures, rock fall locations, hazardous spills, and lastly large (STAA) Truck restrictions as ongoing concerns with Route 199. "Most concerns on Route 199 exist in two general areas: between Hiouchi and Gasquet (MP6.20/12.87) and between south of Patrick Creek and south of Idlewild (PM20.04/27.50)". Why doesn't the DEIR address the documented roadway impediments between Hiouchi and Gasquet? The most recent STAA Truck off tracking trials conducted October 2005, validated the 12 previously identified areas needing improvement to accommodate STAA Trucks, yet the 2010 DEIR **ignored FIVE of these tight radius curves**. Why?

Why didn't the 2010 DEIR address the specific safety concerns raised by the public during the 2008 comment period? **Hiouchi and Gasquet have many dangerous highway and road intersects**. As stated in the Executive Summary of Traffic Analysis Report (a supporting document of the 2010 DEIR) it was concluded, "due to the rural

nature of Hwy 197/199 actual analysis of intersection operations were not performed as part of this traffic analysis report." Why?

2
cont.

Due to poor sight visibility (V), high rates of vehicle speeds (S), pedestrian/bicycle use (P/B), and highway crossings (C) a traffic study needs to be conducted at the following intersection with Hwy 199:

3

- MP 5.0 Redwood State (S, P/B,C)
Hiouchi Market/ business area (S, P/B,C)
- MP 6.72 Monument Drive (S, V, C)
- MP 7.0 South Fork Road (S, V, P/B, C)
- MP 12.23 French Hill Road (S, V, P/B, C)
- MP 12.99 Margie's River Access Forest Service wayside (S, V, P/B, C)
- MP 13.0 Valley View Road and Gasquet Flat Road (S, V, P/B, C)
- MP 13.4 Sierra Wood Road (S, V, P/B, C)
- MP 13.66 Gasquet Mobil Home Park entrance (S, V, P/B, C)
- MP 13.86 Fire House Road (S, V, P/B, C)
- MP 14.2 Middle Fork Gasquet Road (S, P/B, C)
- MP 14.8 Six Rivers Forest Service Head Quarters and French Hill Trail (S, P/B, C)

Excessive vehicular speeds through Gasquet and Hiouchi, compounded with the addition of larger, heavier STAA Trucks was raised as a safety concerns by residents during the 2008 public comment period. These concerns were not adequately addressed in the 2010 DEIR. The June 1998 CalTrans Comprehensive Study of Routes 197 and 199 states "Speed zones in the Hiouchi and Gasquet areas are an ongoing issue." So in light of this historical documentation and twelve more years of increased traffic, development, ingress and egresses onto the highway, more accidents/fatalities and near misses, why was this concern brushed off? Kevin Church stated in public prior to the 2010 DEIR that speeds on Hwy 197/199 could be, but will not be, reduced! Why? Is CalTrans priority fast transportation of the time sensitive lily bulbs instead of human safety? This defies public sentiment and common sense.

4

The Traffic Count data collected in September 2008 for this DEIR in Gasquet **did not capture a complete picture of the extremely dangerous situation** created by excessive vehicular speeds, poor sight visibility, vehicular cross traffic, and pedestrian and bicycle traffic along the highway and crossing the highway. The worst areas through Gasquet are between MP 13.0 and MP 14.2. The March 2006, DN-197/199 Corridor Extra-Legal Load and STAA Vehicle Accessibility Study, (a supporting document of the 2010 DEIR) stated "Field observations indicated some bicycle travel on US 199 concentrated in Gasquet and pedestrian activity was only observed in urban areas and within Redwood Park." Was this "field observation" made on Google Earth? How could such an inaccurate assessment be used to make critically important decisions regarding safe speeds, appropriate signage, striping or other safety measures needed in Gasquet and Hiouchi, factoring in the added liability of STAA Trucks? It is interesting to note that Gasquet has signs and road striping for bicycles and Redwood Park has signs for pedestrian activity. Was this the basis of this field observation? As an eighteen year resident of Gasquet who lives along Hwy 199 and travels through Hiouchi into Crescent City almost daily, I can

5

Bruce, Doreen

testify to the fact that many residents in both communities walk/ jog and bicycle along the highway for a variety of reasons. Also tourists dash to cross the speeding highway traffic at Hiouchi Market. In Gasquet, our regular walkers, joggers, kids and bicyclists face real hazards along highway 199 when trying to cross to the opposite side. The most dangerous crossings are: (1) Gasquet Flat Road and Valley View Road, (2) Sierra Wood Road, and (3) Gasquet Mobil home Park. The traffic speeds along this straight stretch of highway in conjunction with the grading dips makes oncoming traffic become invisible to crossing pedestrians/bicyclists and other vehicles attempting to cross the highway. I have witnessed, as well as personally experienced, many frightening near miss accidents. **Please do a survey/study of real people living in Gasquet and Hiouchi to determining appropriate, and safe highway speeds through our communities?**

5
cont.

What are the Federal standards and mitigating requirements for nighttime noise emitted by commercial truck accelerating and directions in many areas. I continue to support the no build alternative for this project.

6

decelerating on highways running through residential areas, and how will the addition of STAA Trucks add to this existing problem, and how will it be mitigated? This was not adequately addressed in the 2010 DEIR.

The March 2006 STAA Truck trials on HWY 197 and 199 were conducted under CHP escort and at speeds lower than typical trucks travel. How low were these speeds and how did you factor that into actual truck speed? Faster moving STAA trucks will not negotiate corners as sharply. Many short sight distances exist. Was this closely looked at? The 2010 DEIR does not address this. Why not?

7

I am amazed and disheartened that so much time, money, and effort has gone into this CalTrans work project. The 2010 DEIR fails to provide a compelling need for this project, and any reasonable and prudent person would realize after driving highways 199 and 197, that they never will be safe for STAA Trucks meeting one another in opposite

8

Sincerely,



Doreen Bruce

Responses to Doreen Bruce

Response to Comment 1

This comment states that safety should take precedence over this project. Grouped Response #1 discusses the purpose and need for this project. Safety of the traveling public is always a concern for the Department, and proposed roadway improvements will enhance safety for the traveling public at the proposed project locations. Per the DEIR/EA, all seven locations have roadway geometries that can result in STAA trucks and other long-wheelbase vehicles (automobiles, trucks, and other large vehicles such as motor-homes, buses, and vehicles pulling a trailer) offtracking across the double yellow line and entering the oncoming traffic lane. Additionally, limited sight distances at all seven locations do not allow enough time for drivers to react to roadway conditions ahead. Safety-enhancing improvements, including wider lanes, wider shoulders, longer-radius curves, and improved sight distances, would provide a roadway that is easier to maneuver for all users.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment states that the DEIR/EA does not address specific sections of roadway for STAA access that were cited in a 2005 Caltrans report. All 12 of the sites in were either addressed by previous projects, are being addressed by this project, or were reevaluated and determined to not be a constriction to STAA traffic.

This comment also questions why the Traffic Analysis Report (2010) did not include an analysis of intersection operations. An analysis of intersection operations is conducted to ensure Level of Service and traffic flow through intersections. It is not an analysis of traffic safety at intersections. The lower traffic volumes in this area did not require an analysis of intersection operations to ensure the desired level of service. Please see the Response to Environmental Protection Information Center's Comments 14 and 15 for more information on why Hiouchi and Gasquet and the surrounding areas are not included in the proposed project.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

This comment states that there are safety concerns at sites not included within the project. These sites are not restricting STAA vehicle access and are thus outside of the purpose and need of the project.

One of the tools that the Department's Traffic Safety Office uses is the calculation of collision rates. Collision rates are based on the number of reported collisions in a certain time period and the average daily traffic of that location. To insure that the limited funds available for upgrading existing roads will be spent at locations where it will result in the greatest safety benefit to the highway user, we compare the collision rates of specified locations to the statewide average collision rates for similar facilities.

The collision rates for the locations the commenter mentions were compared to the statewide average collision rates for similar facilities for the most recent 5 years of available data (1/1/2005

to 12/31/2009). Collision rates and data for the 11 half-mile segments and 1 one-mile segment (the Hiouchi Market/business area) were requested, as well as the eight intersections identified by the Department's Traffic Accident Surveillance and Analysis System (TASAS) that lie within these segments. Of these locations, three segments and three intersections had collision rates that were greater than the statewide average and for each the collision history was reviewed. Of these six locations, the Department recommended improvements for one intersection where a "Side Road" symbol warning sign will be installed to warn southbound US 199 motorists of the upcoming South Fork Road intersection. Of the other five reviewed locations, there were no discernible collision patterns upon which to recommend roadway improvements.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 4

This comment suggests reducing speed limits through some sections of 199 and 197 as a safety measure. See Grouped Response #8 for a discussion of speed reduction in Hiouchi and Gasquet.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 5

This comment expresses concern over safety within the Gasquet and Hiouchi communities. Again, the Department shares your concern over the problem of excessive speeds and traffic safety. Accordingly, we have set the current speed limit through both Gasquet and Hiouchi at 50 mph because after conducting a series of studies, we believe this speed limit is appropriate to best facilitate the safe and orderly movement of traffic through these sections. For the community of Gasquet, four field surveys including speed studies have been conducted since February 2008. Additional information on speed limits and safety can be found in the Response to Grouped Response #8.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 6

This comment requested information on federal standards for vehicular noise in residential areas. For highway transportation projects with FHWA involvement, the Federal-Aid Highway Act of 1970 and the associated implementing regulations (23 CFR 772) govern the analysis and abatement of traffic noise impacts. 23 CFR 772 provides procedures for preparing operational and construction noise studies and evaluating noise abatement considered for federal and federal-aid highway projects. Under 23 CFR 772, projects are categorized as Type I or Type II projects. FHWA defines a Type I project as a proposed federal or federal-aid highway project for the construction of a highway on a new location or the physical alteration of an existing highway that significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes. A Type II project is a noise barrier retrofit project that involves no changes to highway capacity or alignment.

Type I projects include those that create a completely new noise source, as well as those that increase the volume or speed of traffic or move the traffic closer to a receiver. Type I projects include the addition of an interchange, ramp, auxiliary lane, or truck-climbing lane to an existing

highway or the widening of an existing ramp by a full lane width for its entire length. Projects unrelated to increased noise levels, such as striping, lighting, signing, and landscaping projects, are not considered Type I projects.

This project does not meet the definition of a Type I project. Therefore, no noise analysis or consideration of noise abatement is required for the operational impacts of this project. A Noise Study Report was prepared however, to address construction noise.

No mitigation measures, such as a soundwall, are considered for this project because the type of work or highway improvements involved in this project is unlikely to cause a substantial temporary or permanent increase in traffic noise to the adjacent land users.

Pages 2.2-54 through 2.2-56 of the Draft EIR/EA discuss existing noise levels in relation to future noise levels. Predicted traffic volumes and traffic noise levels as compared between the 2030 no build and the 2030 build condition indicate that the project will not result in a perceptible increase in operational traffic noise.

In addition, the projected increase in truck traffic will not substantially increase ground vibration caused by trucks because of the relatively small increase in truck volumes and the fact that trucks with a proper suspension and pneumatic tires are not a substantial source of vibration unless there are substantial discontinuities in the roadway surface. No operational adverse noise and vibration impacts from traffic are anticipated; therefore, no mitigation measures are required.

A copy of the Noise Study Report provided to the interested parties upon request may be helpful to further clarify any questions regarding the noise analysis for this project.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 7

This comment states concern that slower speeds used in the truck trials in the March 2006 STAA study may have resulted in some dangerous/questionable areas being overlooked. Trucks will offtrack more at lower speeds. See Response to Friends of Del Norte Comment 9 for a discussion regarding truck speeds during trials.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 8

This comment questions the purpose and need for the project, states that the route will never be safe for STAA vehicles and expresses support for the “No Build” Alternative. There are several factors involved in the decision to pursue this project and the Department has strived to design the proposed project so that it would meet the purpose and need while minimizing costs and avoiding or minimizing environmental impacts. See Grouped Response #1 for details regarding the purpose and need of the project. Also see Grouped Response #8 for a discussion regarding safety of STAA vehicles.

No revisions to the Draft EIR/EA are necessary.

Cooper, Eileen

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/13/2010 03:30 PM -----

eileen cooper <upsprout@yahoo.com>

To Gary Berrigan <gary_berrigan@dot.ca.gov>
cc kimberly staa <kimberly_hayler@dot.ca.gov>,
Dori and David Bruce <tangleblue@charter.net>

08/10/2010 08:10 PM

Subject Re: STAA 199/197 comments

Comments to the DEIR and review process, 8/10/2010

The documents that I requested are identified in the DEIR as being used to identify the project areas. Therefore, they are an integral part of the DEIR, substantiating the scope of the project. The public had strong concerns regarding the range of the scope of the project. In 2008, submittal of comments by Dori and David Bruce gave strong voice to the concern that areas between Gasquet and Hiouchi were very dangerous, and were not being addressed. The DEIR ignored their concerns, giving absolutely no information about why such safety records, with greater accident rates and lower LOS than the predetermined pinch points, were not being proposed for improvements. They submitted specific traffic safety information. The DEIR has provided absolutely no information that

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Cooper, Eileen

sheds light on the dismissal or elimination of this area of road. It simply states that the requested documents were used to substantiate the selection. The request for these documents should have been provided along with the other Documents of the DEIR.

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cont.

We confirm that your traffic safety officer who is familiar with this project will not be available for questioning until after Aug. 16, 2010, and the documents that you are providing to me personally as a public records act request will not be available until about that date as well. These documents are essential for evaluating the DEIR, as the DEIR sheds absolutely no light on the process of elimination for improvements between Hiouchi and Gasquet, even after specific scoping comments requesting such.

Please be advised that such disregard and blindness of the DEIR to issues raised by the public, together with the omission of key documents regarding their concerns raises substantial discordance to the purpose of CEQA, and handicaps the public participation.

Thank you, Eileen Cooper
--- On **Tue, 8/10/10, Gary Berrigan**
<gary_berrigan@dot.
ca.gov> wrote:

From: Gary Berrigan <gary_berrigan@dot.ca.gov>
Subject: Re: STAA 199/197 comments
To: "eileen cooper" <upsprout@yahoo.com>
Date: Tuesday, August 10, 2010, 10:23 AM

Dear Ms. Cooper,

Thank you for taking the time to contact us regarding the 197/199 Safe STAA Access project.

Regarding your request to extend the deadline for review of the DEIR/EA, we understand your interest in extending the public review period, but it is already longer than what is normally provided. Under the California Environmental Quality Act (CEQA) Guidelines the public review period for

Cooper, Eileen

a

DEIR is 45 days where there is public agency review through the State Clearinghouse. The State Clearinghouse review period for this project ends

August 12, however, we have provided an extended period to August 23, allotting 56 days that the DEIR/EA will have been available to the public.

Due to the time frame already provided to the public for comment submittal,

we do not believe that an additional extension is warranted.

The Geotechnical reports you requested are in the public library in Crescent City, along with the other technical studies that were used to analyze potential environmental impacts of the project (Appendix S, List of Technical Studies). We understand that hard copies and CD copies have disappeared from the library, and we have been providing replacements as

soon as we have been advised of those losses. We also have requested that

the library staff attach bar codes to the technical studies and the DEIR/EA to minimize the chances that these documents might be removed from the library.

Your request included documents that were not used to analyze potential environmental impacts of the project, and are not part of the technical studies of the DEIR/EA. These documents can be made available under the

guidelines of the Public Records Act, and I understand that Kathy King, Claims Officer, (707.445.6594) is compiling them to send to you. The availability of these documents does not affect the deadline for comment submittals on the DEIR/EA. The route concept reports you requested can be

found at the following web links:

197 Route Concept Report -

<http://www.dot.ca.gov/dist1/d1transplan/r197.pdf>

199 Route Concept Report -

<http://www.dot.ca.gov/dist1/d1transplan/r199.pdf>

Thank you, again, for your time and effort to communicate concerns and requests to us regarding the 197/199 Safe STAA Access project. We look

Cooper, Eileen

forward to receiving your written comments on the DEIR/EA.

Sincerely,

Gary Berrigan, E-1 Branch Chief
North Region Environmental Management
707.441.5730

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 08/09/2010
08:28
AM -----

eileen cooper
<upsprout@yahoo.c
om> To
kimberly_hayler@dot.ca.gov
08/05/2010 03:03 PM cc
kevin_church@dot.ca.gov,
upsprout@yahoo.com, Dori and David
Bruce <tangleblue@charter.net>
Subject
STAA 199/197 comments

Please extend the deadline for review of the DEIR/EA for hwy199/197
staa
improvements.

This is because I have tried to contact the safety engineer for this
project, but he is unavailable until very late in the month of August. I
need several safety evaluation documents, and understanding of safety

2

Cooper, Eileen

engineering documents is impossible without assistance. We are concerned that the number of tight spots and dangerous spots on hwy 199 is severely limited in scope. Our original scope request expressed concern that this hwy would remain unsafe even with fixing the particular recognized spots. Citizens know of several unsafe areas between Hiouchi and Gasquet, and yet this area remains untouched.

2
cont.

Why has this happened? We are also concerned about increasing geological instability in the proposed actions. Please supply records of rock slides before and after the last decade improvements to the upsloped areas along hwy 199, patrick creek area.

3

Review of our concerns is impossible without the following being available for public review, preferably in the library:
As stated in the DEIR, page 1-4:

4

The entire 197/199 road was evaluated and considered when need was identified- Sept. 1989, "Route 199 Route Concept Report"

Individual spot improvement locations were identified for STAA access "Comprehensive Study of Routes" June 1998

Two Concept reports SR197 and US199 for Dept, July 1999, describe long range approach

Truck tracking trials by Caltrans District 1,
Traffic Operations/Permits on SR197 and US 199, dated August 2003 and
October 2005

Del Norte 197/199 Corridor Extra-Legal load and STAA Vehicle
Accessibility

Cooper, Eileen

Study, dated March 2006

The Geotechnical studies listed in the DEIR.

Thank you, Eileen Cooper 707-465-8904

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cont.

Responses to Eileen Cooper

Response to Comment 1

This comment informs that concerns were raised in 2008 regarding the area between Gasquet and Hiouchi and that data presented highlighting these concerns was ignored in the DEIR. See Response to Environmental Protection Information Center's Comments 14 and 15 for a discussion of the area between Hiouchi and Gasquet and Grouped Response # 8 for a discussion about reduced speed zones in Gasquet.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

The comment requests that the deadline for delivery of public comments be extended because the Department's safety engineer was not available to discuss the project until late August, 2010, and the commenter stated that assistance was needed to understand safety engineering documents.

As explained in an email response dated August 10, 2010, the Draft EIR/EA and supporting technical studies were available at the Department's District 1 office and Del Norte County Library in Crescent City. . Public comments on the Draft EIR/EA were officially accepted between June 29 through August 23, 2010. The California Environmental Quality Act mandates a minimum of 45 days be provided for the public review of an Environmental Impact Report (Title 14 California Code of Regulations Section 15105). The National Environmental Policy Act and the Federal Highway Administration require a minimum 30-day review period (Title 23 Code of Federal Regulations Part 771.119). The review period was a total of 56 days, which is 11 days longer than the mandatory 45 day review period allotted by the CEQA Guidelines. .

The comment requests documents that were not used to analyze potential environmental impacts of the project and are not part of the technical studies of the Draft EIR/EA. These documents were made available under the guidelines of the Public Records Act and sent to the commenter on August 23, 2010.

The comment also expresses that previous comments provided on the scope of the project to enhance safety at additional locations were not addressed in the Draft EIR/EA. See Response to Environmental Protection Information Center's Comments 14 and 15 for details on investigations and new projects that will address safety concerns between Hiouchi and Gasquet. See Grouped Response #8 for a discussion of how project locations were selected.

Response to Comment 3

This comment expresses concern regarding the proposed project and geologic instability and requests records documenting rockslides that occurred before and after improvements to the upslope areas along US 199. Preliminary geotechnical reports prepared for the project are listed on page 2.2-17 of the Draft EIR/EA and are available for public review at the Department's District 1 offices located at 1656 Union Street, Eureka, CA 95501. See grouped response #10 for a discussion regarding cut slopes and geologic stability.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 4

This comment requests additional information and reports, stating they are necessary for review of the DEIR/EA. According to an email sent from Gary Berrigan to Eileen Cooper on August 10, 2010, the Geotechnical studies that the commenter lists were and are available for public review at the Department's offices located at 1656 Union Street, Eureka, as well as at the Crescent City Library. The other documents were stated as not being used to develop the DEIR/EA, so Mr. Berrigan suggested that Ms. Cooper make a request for those documents through a California Public Records Act (CPRA) Request. After the CPRA request was submitted by Ms. Cooper, the Department provided the remaining information, excluding the video tape of the truck tracking trials, on August 13, 2010. The cover letter for submittal of the CPRA documents to Ms. Cooper stated that a separate request and fees would need to be submitted if the video tape was desired.

No revisions to the Draft EIR/EA are necessary.

Czapla, Carol

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/13/2010 03:19 PM -----

"Carol" <carolzap@charter.net>

To <kimberly_hayler@dot.ca.gov>

cc

08/01/2010 11:07 PM

Subject Hwys 197 & 199 Proposed Expansion

Ms. Hayler:

I've been following the articles in The Daily Triplicate regarding the proposed expansions of Highways 197 & 199 to allow STAA trucks. I cannot see that as a justification for spending \$26.5 million-plus on this road project, as well as creating traffic delays and havoc for 4 to 5 years during road construction on Hwy. 199, the main east-west route in Del Norte County. I think you are totally missing the point and not addressing the real problem, i.e. closures of this road due to rockslides. There are numerous locations on Hwy. 199 where rockslides have occurred repeatedly for many years resulting in repeated closure of this important link between the Rogue Valley and the NW CA coast. A real solution with substantial barriers like those erected on Hwy. 101, south of Crescent City, need to be erected. As pointed out by David Bruce of Gasquet in his letter to the editor of The Daily Triplicate, "If you want a freeway for the STAA trucks then an alternate route over the mountains should be pursued."

1

Thank you for your careful consideration of this matter.

Carol Czapla
carolzap@charter.net

Response to Carol Czapla

Response to Comment 1

This comment states that a road closures due to rock slides are the primary concern with 199 and suggests that access for STAA trucks should be provided by either substantial barriers along the roadway or a new highway over the mountains. Please see Grouped Response #1: Purpose and Need, grouped response #6 Alternate Route Linking US 101 to US 199 for further information regarding an alternative over the mountains, and Grouped Response #10 regarding geologic stability. Regarding the proposal to construct large barriers such as those south of Crescent City on US 101, that proposal would not address the purpose and need of the project. Barriers were not determined necessary to provide safe STAA access on SR 197 and US 199.

No revisions to the Draft EIR/EA are necessary.

Devlin-Craig, Brenda

Brenda Devlin-Craig
4771 Wonder Stump
Crescent City, CA 95531

August 19, 2010

Caltrans
Attention Kim Hayler,
Environmental Coordinator,
P.O. Box 3700, Eureka, CA, 95502

RE: 197/199 Safe STAA Access

Dear Ms Hayler:

I am writing to comment on the proposed work on HWY 197/199 project. The purpose of the project is to widen the HWY allow for the larger STAA trucks, which is expected to improve the economy of the area. I am concerned about the increase of traffic on 199, especially of larger trucks. The existing economy of the area already relies on daily travel along HWY 199, in all size vehicles. This project could adversely affect the existing economy through traffic delays and slower commute times. Tourist traffic added to current large trucks already slows traffic speed considerably. 1

One problem is that the current "turnouts" are often not used. This has not only led to traffic delays and back-ups; it has also led to dangerous driving by frustrated motorists. Although it will not completely solve the problem, better signing is imperative to increase the use of the turnouts. The current signs are in small lettering, off to the side (not very visible) and the "to allow passing" signs (in even smaller lettering) are almost always missing. In other parts of California and in Oregon, turnouts are marked with signs saying "slower vehicle turnout", which gives motorists a better understanding of what they are. In Oregon, the turnouts are very well marked, with larger signs and arrows on the roadway. Each turnout also has a sign stating that "slower vehicles must use turnouts". I am requesting that a sign plan for the turnouts similar to those of Oregon, be included in the project plan. This minor change to the project could significantly improve traffic flow. 2

Another change is to add the name "Brookings" to the direction sign at HWY 197. Numerous cars with Oregon plates slow at 197, but drive out to HWY 101 and then turn towards Oregon. This minor change will also help with traffic issues on 199. 3

One other problem area is the Redwood National Park Simpson-Reed grove parking area on 199. It is a seriously dangerous area during the tourist season. It appears that people on vacation forget HWY rules, and have frequently come to a complete stop on the HWY looking for a parking spot. I have narrowly avoided multiple car piles-ups several times, even though I always reduce my speed through there. People often walk across the HWY without looking, or have young children running around the parking area. The chances of someone getting hurt or worse at that site are very high. At a minimum, the speed limit should be reduced (45 max. and that is even too fast). The best scenario is to get the parking area off the highway. 4

I hope you will consider these suggestions when completing the project plan. I drive this road almost every day, and if these changes are not made, my commute will become even more difficult!

Thank you,


Brenda Devlin-Craig

Responses to Brenda Devlin-Craig

Response to Comment 1

This comment expresses concern over traffic volumes on the route and the potential for increased truck traffic to affect local commuting traffic. The results of the traffic analysis prepared for the Draft EIR/EA for with-project conditions indicate that no substantial negative impacts on the level of service (LOS) of roadways within the study area would result from the proposed project. [LOS is a qualitative measure of traffic flow conditions that varies from LOS A (least congestion) to LOS F (most congestion).] As discussed on pages 2.1-71 through 2.1-73 of the Draft EIR/EA, all roadway segments on US 101, US 199, and SR 197 included in the traffic analysis are anticipated to operate at or better than their selected concept LOS under both existing and future (2030) conditions. Traffic is expected to continue to travel at free-flow speeds on all study roadways. As a result, operational impacts on commute and travel times along the SR 197/US 199 corridor are anticipated to be less than significant.

Substantial impacts on travel times, however, would occur during the project construction period, as acknowledged in the Draft EIR/EA. The impacts of delays on travelers using the SR 197/US 199 corridor are described in the “Temporary Construction-Related Access and Circulation Impacts” section of the Draft EIR/EA, on pages 2.4-14 through 2.4-19. As discussed in that section, the lack of reasonable alternative routes between the US 101 and the I-5 corridor means that many US 199 users would often face substantial delays during construction of the project when traveling along US 199. The overlapping and long construction schedules for the project improvements, spanning five construction seasons, also suggest that impacts on motorists could be substantial. Measures to reduce temporary access and circulation impacts are described on pages 2.4-20 and 2.4-21. Additionally, see Grouped Response #2 for a discussion of potential impacts on the tourist economy resulting from delays during project construction.

Travel delays during the project construction period will be kept minimized and controlled by measures included in the project's Transportation Management Plan (TMP). The TMP will be updated as the project progresses through the project development process as is typical for all Department highway projects.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment states that slower vehicles are not using the turnouts appropriately and alternate signage would alleviate this problem. The State of California has published the California Manual of Uniform Traffic Control Devices (California MUTCD) to adopt uniform standards and specifications for all official traffic control devices in California, in accordance with Section 21400 of the California Vehicle Code. Although changing standard signs might be useful at certain locations, or bring more character to an area, we need to provide uniformity for the traveling public so that we don't confuse people, and so we are effective in conveying important information.

The California MUTCD incorporates two documents, Federal Highway Administration's Manual on Uniform Traffic Control Devices (2003 Edition Revision 1) dated November 20, 2004 and the MUTCD 2003 California Supplement dated May 20, 2004. The California Manual of Uniform

Traffic Control Devices (California MUTCD) specifies that the TURNOUT sign shall be placed at the entrance to a turnout. The SLOWER TRAFFIC USE TURNOUTS or SLOWER TRAFFIC USE TURNOUTS TO ALLOW PASSING sign shall be used in advance of the first turnout on a route and at other locations as needed. The SLOWER TRAFFIC USE TURNOUTS and SLOWER TRAFFIC USE TURNOUTS TO ALLOW PASSING signs are not intended to be used in advance of each individual turnout. This may help to explain why these signs are not at each turnout location.

It is the law for certain vehicles to use turnouts, however it is not the law for all vehicles to use turnouts. According to the State of California Vehicle Code, CVC 21656, "On a two-lane highway where passing is unsafe...a slow-moving vehicle, including a passenger vehicle, behind which five or more vehicles are formed in line, shall turn off the roadway at the nearest place designated as a turnout by signs erected by the authority having jurisdiction over the highway, or wherever sufficient area for a safe turnout exists, in order to permit the vehicles following it to proceed." Unfortunately, we cannot change the attitudes or etiquette of motorists using the facilities, but if we could, driving everywhere would probably be much more pleasant.

In regards to the sizes and visibility of the existing turnout signs, we appreciate your suggestions, and Traffic Safety has since performed a review of all of the turnout signs on DN 199 and 197. In July of 2011 we ordered 20 new signs and we are awaiting their arrival. As soon as we receive them, they will be scheduled for installation. We hope that you, and all other motorists, find the new signs easier to see.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

This comment states that it would be beneficial to have a "Brookings" sign on US 199 at SR 197 to assist some motorists and reduce traffic on US 199. Traffic Safety has considered this suggestion and a new sign panel will be placed below the existing sign with an arrow pointing toward SR 197 that says 'Oregon' next to the '101' Route shield. Caltrans has ordered and received two of these signs (one for southbound Highway 199 and one for northbound Highway 199) and both signs are scheduled for installation. We appreciate this information (regarding confused motorists) and your efforts in communicating these issues.

Response to Comment 4

This comment states the parking area for Redwood National Park Simpson-Reed grove on SR 199 presents a safety hazard and suggests lower speed limit, alternate signage and moving the parking off the highway. This site is outside the scope of this project and this DEIR/EA; however the following response is provided. The signing at this location has been enhanced to aid motorists and warns of the presence of pedestrians. The parking at this location has also been modified. In addition, State Parks has removed some of the trail head signing.

Also, see Grouped Response # 8 for a discussion regarding the process for reducing speed limits.

No revisions to the Draft EIR/EA are necessary.

Elicker, Norberto

197/199 Safe STAA Access Open House
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City/Cultural Center, 1001 Front Street

Name: Norberto Elicker
Address: 750 Cessna dr.
City: Crescent City State: CA Zip: 95531
Representing Name of Organization or Agency: Self
Comments: A picture is worth a thousand words. The pictures are from route 197, 1.5 miles from 101. The river is deep and cold! Safety?
Please return by August 23, 2010

Response to Norberto Elicker

Response to Comment 1

This comment states that there is a safety concern at on SR 197 between PM 5.5 and PM 6.0. On 3/2/2012 Caltrans initiated a formal Traffic Safety investigation on SR 197 from PM 5.5 to PM 6.0. We will be investigating this area to determine if any changes are necessary. Thank you for the comment. Our Department agrees with you that safety for all users is a priority.

Please see Grouped Response #8: Safety and response to Center for Biological Diversity's Comment 6 for further discussions regarding safety.

No revisions to the Draft EIR/EA are necessary.

Hague, Joe

MEMORANDUM

To: Kimberly Hayler

Date: July 23, 2010

From: Joe Hague

Subject: Northbank Rd Project, Crescent City, Ca

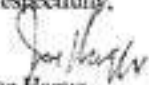
Thanks for soliciting feedback to proposed project. I own 4751 Northbank Rd, the severely impacted home and three acres represented by my tenant, DeAnn Rupert, at your public meeting. The house/property, is situated between your proposed projects Ruby 1, and Ruby 2. Even a minimal widening of the road would render the house worthless due to traffic on the front porch. Increased traffic of larger trucks would significantly devalue my property due to noise and safety issues.

Naturally, i am vehemently opposed to anything that devalues my property, or takes my old farmhouse, an unofficial Del Norte County landmark for seventy years.

Please inform me of any mitigating gestures the state has planned, in the event this plan goes through.

Thank you.

Respectfully,


Joe Hague
707 815 5111
P. O. Box 5554, Ventura, Ca 93005
Jghague@yahoo.com

Response to Joe Hague

Response to Comment 1

The comment states concern that the Ruby projects will adversely impact his property due to encroachment, noise and safety issues. This parcel is outside the limits of work for the proposed project, thus there will be no road widening at this residence. See response to Doreen Bruce's Comment 6 for information about anticipated traffic noise as a result of the proposed project. Also see Grouped Response #8 for a discussion regarding safety.

The commenter also suggests that his property might be devalued. Effects to property valuation are not part of the NEPA and CEQA process, and are not addressed in the DEIR/EA.

No revisions to the Draft EIR/EA are necessary.

Miller, Ken

----- Forwarded by Kim Floyd/D01/Caltrans/CAGov on 08/24/2010 08:44 AM -----
Ken Miller <tamer1@suddenlink.net>
08/23/2010 04:54 PM
To
Kim_Hayler@dot.ca.gov
cc
Kim_Floyd@dot.ca.gov
Subject
199/197 STAA Safe Access DEIR comments

TO: CalTrans
RE: 199/197 STAA DEIR
8/23/10
(Kim, please forward if I got the email address wrong, thank you)

Please respond to the following:

The traffic study concluding there will be no increase in STAA traffic failed to evaluate the cumulative effects of opening either or both Richardson Grove (RG) and 299 (and 20) to STAA traffic in the very near future (foreseeable). This would be like comparing traffic with and without a deadend at the end of the road. Please defend the validity of this study without these cumulative effects considered.

The pollution, noise, safety and growth induction potential of these trucks is very different when the north-south through-way through Richardson grove is complete, or the connector to I-5 via 299 or 20 is opened for STAA traffic than without these. Home Depot and WalMart have both actively lobbied your District 1 for opened STAA access through RG. Please include in your explanation why these Big Boxes would not benefit all along this route, opening up sprawl development potential that should at least be evaluated. Why have you dismissed these impacts with the glib response that bigger trucks mean fewer trips, when this reasoning obviously omits the effects from through traffic.

Thank you

Ken Miller
1658 Ocean Drive
McKinleyville, CA 95519

1

Response to Ken Miller

Response to Comment 1

The cumulative growth assessment conducted for the Draft EIR/EA considered the effects of the 197/199 Safe STAA Access Project together with those of the Richardson Grove Improvement Project (Draft EIR/EA pages 2.5-7 through 2.5-9). Considered together, the two projects would improve economic conditions in Del Norte and Humboldt counties by lowering transportation costs for some businesses. This would result in increased profitability for affected businesses, increased employment and income within the region. As summarized in Table 2.5-2 of the Draft EIR/EA, the cumulative effects of the projects are estimated to include about 130 additional jobs and a \$7.4-million increase in jobs-related personal income in the two counties. While beneficial, these economic impacts would be relatively small in the context of the combined economies of the two counties, representing a 0.2% increase in both employment and personal income over 2007 levels. Cumulative population growth induced by the two projects in the two-county area is estimated at about 310 persons. This upper-range estimate of growth represents less than 0.2% of both the estimated 2008 and projected 2030 combined populations of the two-county area, a relatively minor increase and well within the growth levels anticipated for the two counties over the next 20 years.

The traffic forecasts were based on these economic growth forecasts and therefore include the cumulative impact of the Richardson Grove project on US-101. In a similar fashion, the traffic forecasts also considered the additional population growth in both the North Coast and the Northern Sacramento Valley, connected via SR 299.

The commenter also has raised the issue that providing improved STAA truck access to the North Coast region could attract more large retailers (so-called “big-box” stores) to the study area, leading to sprawl. Currently, big-box retailers Wal-Mart and Home Depot are located in the Crescent City area, a Target, a Kmart, a Walmart and a WinCo are located in Eureka and there is a Kmart in McKinleyville. As discussed in the Community Impact Assessment prepared for the project (pages 4-80 and 4-81), large retailers surveyed for the traffic study indicated that providing STAA access along the SR 197–US 199 corridor would do little to change their operations and would not likely generate expansion of their businesses. The information provided by these retailers indicates that many retail shippers in the area would not change the number of shipments or shipping patterns in the event of STAA improvements because shipping patterns to regional stores are already well established; trucks often travel north along US 101, delivering to stores along the route. For most large chain retailers, routes are determined by the location of stores in the chain and would not necessarily change in response to new STAA truck access. Therefore, it is unlikely that the incrementally lower transportation costs provided by improved STAA truck access to the region would play a major role in attracting new big-box retailers to Del Norte or Humboldt counties, and effects on small retailers and the natural environment would be minimal. According to research conducted for the Community Impact Assessment (pages 4-42 through 4-44), regional market size would play a much more important role in attracting additional big-box stores to the North Coast region than would incrementally lower transportation costs. (This issue is discussed in greater detail on pages 4-42 through 4-44 and 4-80 through 4-81 of the Community Impact Assessment.)

No revisions to the Draft EIR/EA are necessary.

Nowliss, Georgia

197/199 Safe STAA Access Public Hearing
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City Cultural Center, 1001 Front Street

Name: Georgia Nowliss
Address: P.O. Box 4204
City: Brookings State: OR Zip: 97415
Representing Name of Organization or Agency: Business Owner /
Carry County Commissioner
Comments: It is important to consider and give equal weight to the social/
economic impacts of this project as well as
the environmental. Sorry I was unable to
attend the July 13th meeting.
Must be received by August 23, 2010

Response to Georgia Nowliss

Response to Comment 1

The Department's decision to implement the project will be made considering the information in the Draft EIR/EA, the PREIR/SEA and FEIR/EA, which characterizes the beneficial and adverse effects of the project, including the project's social, economic, and environmental effects. These effects are described in Chapter 2 of the Draft EIR/EA and in the Community Impacts Assessment, both of which are available at the Department's District 1 office, 1656 Union Street, Eureka, and at the public library in Crescent City.

No revisions to the Draft EIR/EA are necessary.

Pederson, Richard

197/199 Safe STAA Access Open House
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City/Cultural Center, 1001 Front Street

Name: RICHARD PEDERSON
Address: PO BOX 1195
City: CRESCENT CITY State: CA Zip: 95531
Representing Name of Organization or Agency: SELF
Comments: NO AMOUNT OF IMPROVEMENTS WILL MAKE STAA TRUCKS SAFE IN SMITH RIVER STRAIGHT. THERE WILL BE MORE ACCIDENTS AND SPILLS IN RIVER, OUR WATER SUPPLY. I APPROVE OF WIDENING AT THE NARROWS (GORGE), BUT THIS WILL ALWAYS BE A DANGEROUS HIGHWAY TO DRIVE AND NO PLACE FOR OVER-SIZED TRUCKS. SO I OPPOSE THIS PLAN AS IT HAS BEEN OFFERED UP.
Richard Pederson 8/22/10

Response to Richard Pederson

Response to Comment 1

This comment opposes the project and expresses concerns regarding road safety and hazardous materials spills and water quality issues and while it approves of widening at the Narrows, it states it will never be safe for STAA trucks and therefore opposes the proposed project.

The Department's decision to implement the project will be made considering the information in the Draft EIR/EA, which characterizes the beneficial and adverse effects of the project, including the potential for hazardous spills. This is described in Chapter 2 pages 2.2-31 through 2.2-33 of the Draft EIR/EA. See Grouped Response #8 for more information regarding safety issues.

No revisions to the Draft EIR/EA are necessary.

Peterson, David

197/199 Safe STAA Access Public Hearing
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City Cultural Center, 1001 Front Street

Name: LT. DAVID PETERSON
Address: 1444 PARKWAY DRIVE
Crescent City
City: CITY State: CA Zip: 95531
Representing Name of Organization or Agency: CHP
Comments:

Must be received by August 23, 2010

Response to David Peterson

This comment card did not include any comments. No revisions to the Draft EIR/EA are necessary.

Pounds, Jacob

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/16/2010 08:22 AM -----
Jacob Pounds <siskiyousunphlower@yahoo.com>
08/23/2010 04:21 PM
To
Kimberly.Hayler@dot.ca.gov
cc

Subject
NO Widening of HWY 197/199

Dear CalTrans Representative,

How do y'all keep coming up with these ridiculous projects in the face of the budget shortage?

DO NOT CUT OLD GROWTH REDWOOD ALONG HWY199.

I oppose this project, as a tax-paying citizen of California. The road is fine and usable in its current state to smaller trucks with equal payloads as STAA trucks.

Best regards,
Jacob Pounds
Eureka, CA

| 1
| 2
| 3

Responses to Jacob Pounds

Response to Comment 1

This comment questions the Purpose and Need for this project. Please see Grouped Response #1: Purpose and Need for an explanation of why this project is being considered despite the State's economy and where the majority of funding will come from.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment suggests finding an alternative which does not involve the removal of old growth redwoods on 199. There were no plans in the Draft EIR/EA to remove large redwoods on 199. The alternatives selected as preferred alternatives along 197 do not involve the removal of large redwoods. See Grouped Response # 4: Large Redwoods.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

This comment states opposition to the project and questions the purpose and need. Please see Grouped Response #1: Purpose and Need for a detailed explanation of why the Department developed the purpose and need, and see Grouped Response #2: Costs versus Benefits regarding additional benefits of the project.

No revisions to the Draft EIR/EA are necessary.

Powers, Vern

swilcanvern@charter.net ()

To Julie_East@dot.ca.gov

cc

08/01/2010 04:43 PM

Subject traffic congestion/construction problem

Below is the result of your feedback form. It was submitted by
(swilcanvern@charter.net) on Sunday, August 1, 2010 at 16:43:41

question: I cannot see how the minimal benefits for the Hwy 197-199
project justify the costs. Ill be keeping this in mind next time I vote
for those involved. Weve already seen what a spill in the smith river can
cost. Why would we risk this again? Many motorcyclist consider this one of
the best rides in the Country. I guess that would change (along with the
cash they bring)? I am opposed to this for too many reasons to name here.
Vern Powers, Gasquet Ca.

1

Response to Vern Powers

Response to Comment 1

This comment expresses concern regarding the costs vs. the benefits of the project, the potential loss of tourism revenue (motorcyclists, in particular) and the potential costs of hazardous material spills near the Smith River. Please see Grouped Response #1: Purpose and Need for a more detailed explanation of why the project is being considered despite the costs as well as the potential benefits. See Grouped Response #2 for a discussion of benefits versus costs of the proposed project.

Regardless of whether the 197/199 corridor is re-designated to allow STAA trucks, the potential for spills is not likely to change dramatically or at all. A discussion of hazardous material spills is provided in section 2.2.4, particularly starting on page 2.2-31, in the DEIR/EA. The trucking survey and subsequent traffic analysis did not identify any additional increase in hazardous material shipping (Fehr & Peers 2010). The research did not identify any new land uses (producers) that would require an increase in hazardous materials nor did any shippers state that they would increase any hazardous materials loads as a result of STAA designation and/or the safety improvements. The projected number of trucks that would use the corridor each day is not anticipated to increase significantly, and, likewise, shipping patterns of the local trucking industry are not anticipated to change significantly; therefore, the risk of accidental release of hazardous materials into the environment would not increase significantly due to the construction of the proposed project and the corridor becoming STAA accessible. In addition, the project will improve the highway geometrics, enhancing safety for all users. Therefore, an increase in hazardous materials spills is not anticipated.

No revisions to the Draft EIR/EA are necessary.

Quick, Erika & Tony

197/199 Safe STAA Access Open House
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City/Cultural Center, 1001 Front Street

Name: Erika + Tony Quick
Address: P.O. Box 16906 (155 Northbank Rd)
City: Crescent City State: CA Zip: 95531
Representing Name of Organization or Agency:
Comments: Route 197 Please make
safer for regular vehicle traffic
i.e. guard rails & shoulder
widening - There is no room for
bikes or pedestrians
Please return by August 23, 2010

Response to Erika & Tony Quick

Response to Comment 1

This comment concerns the safety of all users on our state highway systems. We agree with you that the safety of all users is important. While the primary purpose of this project is to accommodate STAA trucks, the proposed project includes safety-enhancing improvements such as; wider lanes, wider shoulders, longer-radius curves, and improved sight distances. These improvements would create more recovery area for vehicles (small or large) as well as provide more space and visibility of pedestrians and bicyclists using the facilities. We also recently installed "Share the Road" signs that display an image of a bicycle. Although there are locations along these highways with no shoulder, bikes and pedestrians are not restricted from using these highway facilities. Also, see Grouped Response #8 and the response to Center for Biological Diversity's Comment 6 for more information regarding safety issues.

No revisions to the Draft EIR/EA are necessary.

Rupert, DeAnn

197/199 Safe STAA Access Open House
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City/Cultural Center, 1001 Front Street

Name: D Rupert
Address: North Bank Rd
City: CCC State: Zip: 95531
Representing Name of Organization or Agency:
Comments: need Environmental Doc.
at Caltrans office & more
than 1 at library
Please return by August 23, 2010

Response to DeAnn Rupert

Response to Comment 1

Environmental documents are made available at the District 1 Office at 1656 Union Street in Eureka as well as the public library in Crescent City. The Draft EIR/EA was made available for public viewing at the District 1 office, the local library, the Del Norte Transportation Commission office, and online for viewing or downloading.

No revisions to the Draft EIR/EA are necessary.

Rupert, DeAnn

2

ON 197 please just post speed signs more cops patrol

197/199 Safe STAA Access Open House
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City/Cultural Center, 1001 Front Street

Name: DeAnn Rupert
Address: NORTH BANK Rd
City: Crescent State: CA Zip: 95531
Representing Name of Organization or Agency:
Comments: People living here come here & like it for the remoteness. We've lived here, as is, for over 150 yrs I don't want C.C. to turn into another Eureka, Santa Rosa or LA
Please return by August 23, 2010 Besides the side effects on the Smith -

Responses to DeAnn Rupert

Response to Comment 1

The comment does not address the DEIR/EA or the proposed project directly. The commenter is expressing concern that the remoteness of Crescent City would be lost and concern for “side effects on the Smith” River. Please see the response to EPIC’s Comment #8 for a discussion regarding community cohesion and anticipated impacts. To ensure beneficial uses of the Smith River are protected from the proposed improvements, the Department will implement Best Management Practices (BMPs) at each project location to minimize or avoid degradation of storm water runoff flowing to the Smith River and its tributaries. Please see Section 2.2.2 for further information on water quality, measures to control storm water runoff, and BMPs. Also, see response to Vern Powers # 1 for information regarding the project’s potential regarding hazardous materials spills.

The California Highway Patrol is responsible for speed enforcement on all state highways. And while adherence to posted speed limits can be increased by traditional law enforcement, resources for all state agencies are limited

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment is a request for speed limit signage and increased law enforcement on SR 197. The proposed project would improve sections of SR 197 and US 199 by widening, improving tight radius curves, and providing wider shoulders, allowing drivers additional room for recovery and for negotiating tight curves with opposing traffic, or when bicycles or pedestrians are present (DEIR pg1-3 and 1-4). And while increased speed limit signage and law enforcement could help increase safety on SR 197, these measures would not address the primary need for the project. See the revised Need statement in Chapter 1 of the Final EIR/EA and Grouped Response #1 for clarification of the project need and an explanation of safety benefits of the project.

No revisions to the Draft EIR/EA are necessary.

Rupert, DeAnn

197/199 Safe STAA Access Open House
Wednesday, July 13th, 2010 5:00 - 7:30 pm
Crescent City/Cultural Center, 1001 Front Street

Name: DeAnn Rupert
Address: 4751 North Basin Rd
City: CCC State: OR Zip: 97531
Representing Name of Organization or Agency:
Comments: Build new 4 lane road up
and over the mts. at O'Brien, OR
and come out by Rowdy Creek.

Please return by August 23, 2010

Response to DeAnn Rupert

Response to Comment 1

This comment suggests an alternate route for transportation between I5 and Crescent City and US 101. The suggested route would be infeasible due to effects on the environment. See Grouped Response #6 for a full discussion regarding an alternative route linking US 101 to US 199. No revisions to the Draft EIR/EA are necessary.

Simkhovitch, Perriane



Responses to Perriane Simkhovitch

Response to Comment 1

This comment states that only general maintenance should be performed on US 199; it does not address the DEIR/EA or the proposed project. See Grouped Response #1 for a discussion regarding the purpose and need of the project and Grouped Response #2 for a discussion of anticipated benefits. See Chapter 2 Section 2.2.3 for further information regarding the geology of the project area(s) and Grouped Response #10 for information on geologic stability. The commenter's proposed alternative of maintaining US 199, without further changes to the route, would not achieve consistency with the federal or state legislation or local program, plan, and route concept reports or the purpose and need of the project since maintenance would not affect offtracking by STAA trucks. Additionally, the proposed wider shoulders, road curve and superelevation improvements, and improved sight distances that would be achieved if the project was built would enhance safety of the route for all users.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment does not address the DEIR/EA or the proposed project. It expresses concern regarding speeding cars and that some areas (i.e. Ortega) are more dangerous than others. See the Grouped Response #1 for clarification of the project need and an explanation of safety benefits of the project. Grouped Response #8 for more information regarding safety and speed limits, and the response to Environmental Protection Information Center's Comments 14 and 15 for details on investigations and new projects that will address safety concerns between Hiouchi and Gasquet.

No revisions to the Draft EIR/EA are necessary.

Souza, Ted

20 AUG 2010
TO: KIM HAYLER ENVIRONMENTAL COORDINATOR
CALTRANS PO BOX 2700
EUREKA CA 95502
FROM: TED W SOUZA
PO. BOX 229
GASQUET CA 95533
SUBJECT: HWY 197/199 STAA PROJECT
A. MY LETTER DATED 28 APRIL 2008

DEAR MR HAYLER

I VIEW WITH GRAVE CONCERN THE
MANY BAD TURNS ADDRESSED BETWEEN MILE
POST 13.00 AND MILE POST 6.55 THAT
HAVE MAJOR PROBLEMS THAT ARE NOT ADD-
RESSED IN THE DRAFT ENVIRONMENTAL
IMPACT REPORT, THAT ARE SAFETY ITEMS.

THIS PLAN STATES THERE WILL BE
ECONOMIC GAINS MAAYBE OR COULD ?

THIS PROJECT DOESN'T STRIGHTEN ANY CORNERS
IT SLIGHTLY LENGTHENS THE RADIOUS OF A
CURVES AND MANY DANGEROUS AREAS REMAIN.

IN THE AREA OF MILE POST 6.55 THE
SPEED LIMIT SIGN SAY END OF 50 MPH. THIS
SHOULD BE REVIEWED AS YOUR GOING INTO
A SHORT CURVE WITH A ROAD COMING OUT
IN THAT AREA.

ENCLOSED IS MY LETTER DATED 28 APR 08
SUBJECT CALTRANS MEETING STAA STILL APPLIES

SINCERELY
TED W. Souza

Souza, Ted

April 28, 2008

To: Kevin Church, Project Manager
CALTRANS P O Box 3700
Eureka, Ca. 95502

From: Ted W. Souza
P O Box 229
Gasquet, Ca. 95543-0229

SUBJECT: CALTRANS Meeting of April 17, 2008
STAA Access

Dear Mr. Church,

My family has been coming to Del Norte County every since 1956, both winter to fish and summer for vacations and a full resident of Gasquet since 1972.

There have been many highway changes over those years; in 1963 the Collier Tunnel opened the East gateway to Del Norte County, was the Greatest; the Patrick Narrows, Blue Slide to name; a few others were very good.

I still pull my travel trailer up and down the canyon every year and still feel safe on both HWY 197/199.

For many years Loggers, Hambro, Lilly Bulb trucks and many other trucking lines used these roadways with very few problems. The roads are as safe as the drivers and the loads they carry.

Do we need an environmental impact report? Yes. As your past record reads.

In 1962, CALTRANS made changes to the Smith River courses in several places. MP.20.05 Howard Griffith Bridge area. To this day the Slides are still active and coming down, affecting our Fishery. At MP.20.15 the hillside is still not stable.

At MP.19.00, after the 1964 flood CALTRANS used the old Cedar Forest camp ground for a fill site for every slide in the canyon. The high winter water used to flood thru the camp ground and continue down stream.

Page 1 of 3

Now after your mountain of fill you have forced the high water on to the other side of the river, causing that other hill to come down destroying more large fishing holes and more precious fishery every year. Take some of your money and try to fix that.

5
cont

Let's not forget the toxic spills of the past and not because of the roads.

6

As close as I can remember the dates are close and they did happen.

1962, the creosote spill above Bar-O got into the river. Not good for fish.

Early 1980's, late December, a ASBY gasoline truck full went into the river above Gasquet. High water at the time. Pipes were everywhere in the canyon.

In the 1990's the Hiouchi Bridge. A truck with a large crane took a shortcut, did not use Hwy.197, but used Hwy.199 in the early AM took out the bridge. For 18 months we used Hwy197 to get to Crescent City. Not a road problem.

In 1993, above Bar-O, a Beer truck spilled into the river, many cans of beer and some beer. Not good for the fish.

August, 1994, paint spill NP.28.00 area caused big fish kill: both Steelhead and Coho Salmon Smolts in the middle fork.

In 2000, around NP 25.30, an Otten Gasoline truck hit cement culvert, spilling a load of fuel in to ground water of the area in the area. Not a road problem.

2005 or '07, NP. 2.56 in Jed Smith State Park, a large transformer fell off of a flat bed truck into Clarks Creek. Not good for fish.

Souza, Ted

February, 2008, MP.11.30, 4000 Gal., diesel spill.
CALIFANS workers did an outstanding job of containing it with
their quick response. Still being cleaned up to this day. Not
a road problem either.

6
cont.

Del Norte County should promote tourism as our roads
are very good by most standards. Remember, this is a National
Recreation Area. We have had good growth without these STAA
Trucks in Del Norte County. Let's keep it that way. This is a
NRA and HWY 199 is a Scenic Highway.

7

Safety item not addressed at the meeting: HWY 197, MP 6.0,
no guard rail. River very close and steep bank. HWY 199, just
above MP.9.27, many, many single car accidents. (Speed?)
Look at the trees on the turn. It may need a guard rail?

8

In the 15 years I was the Chief of the Gasquet Fire
Dept., I don't remember one accident caused by the road. It
was always the drivers, speed, wet weather or something else.

9

Thank you for this opportunity to express my thoughts.

Sincerely

Ted W. Souza
Ted W. Souza

Copy to: Tamara Buchanan, Del Norte Local Trans. Comm.
Congressman Mike Thompson

page 3 of 5

Responses to Ted Souza

Response to Comment 1

This comment expresses concern regarding the safety of areas between PM 13.00 and PM 6.55 not discussed in the Draft EIR/EA. The Department agrees that safety for all users is a priority. Please see Grouped Response #8 for more information regarding safety and a discussion regarding the process for reducing speed limits, and the Responses to Environmental Protection Information Center's Comments 14 and 15 for details on investigations and new projects that will address safety concerns between Hiouchi and Gasquet.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment questions the economic gains from the project. See Grouped Response #2 for a discussion of anticipated benefits of the proposed project, including employment and personal income.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

This comment states that the project does not straighten corners, but increases the radius of curves. Off-tracking is addressed with roadway geometrics by increasing the radius of a curve.

This comment also states that there is a problem with signs at post mile 6.55. Traffic Safety has reviewed the sign placement of the "End 50 Speed Limit" sign facing northbound traffic, and we find that it is still appropriate. Also, the narrowing and curvature of the road in this location is readily apparent to drivers, and a curve warning sign is posted to alert drivers to the sharp left-hand curve ahead.

Speed zones are set in accordance with the vehicle code. The rest of the highway has a maximum speed limit of 55 mph, which is the maximum speed limit per the vehicle code for two-lane, undivided conventional highways. See Grouped Response # 8 for a full discussion of safety and speed limits.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 4

This comment does not provide a comment on the project or the Draft EIR/EA. The commenter notes his feeling of safety as he travels the SR 197/US 199 corridor and states that SR 197 and US 199 are "as safe as the drivers and the loads they carry."

No revisions to the Draft EIR/EA are necessary.

Response to Comment 5

The comment recalls work by the Department in the 1960's at specific locations that apparently affected the Smith River and the fisheries. The comment also suggests that the Department remedy environmental problems caused by past work by the Department. This comment does not

pertain to or mention the proposed project or the DEIR/EA. If the commenter is concerned about potential geologic impacts that might result from the proposed project, please refer to the discussion of potential geologic impacts and avoidance measures (e.g. stabilization of cut and fill areas) for the proposed project in the Draft EIR/EA in Section 2.2.3 and 2.4.8. The potential for debris to enter the river and a containment system at Patrick Creek Narrows Location 2 is discussed on page 2.4-38, Section 2.4.8 of the Draft EIR/EA. Additionally, preliminary geotechnical reports prepared for the project and which the Draft EIR/EA is based upon, are listed on page 2.2-17 of the Draft EIR/EA and are available for public review at the Department's offices located at 1656 Union Street in Eureka and at the public library in Crescent City.

The Department takes all practicable measures to assure that our projects have a minimal impact on water quality and minimize geologic instability, for both environmental and safety concerns. Department geologists assess every site and make recommendations as to the best and most stable roadway designs. See Grouped Response #10 for a discussion regarding proposed cut slopes and geological stability.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 6

The comment recounts several specific hazardous materials spill events that affected the Smith River. The survey and subsequent traffic analysis did not identify any additional increase in hazardous material shipping (Fehr & Peers 2010). The research did not identify any new land uses (producers) that would require an increase in hazardous materials nor did any shippers state that they would increase any hazardous materials loads as a result of STAA designation and/or the safety improvements. In addition, the project will improve the highway geometrics increasing safety for all users and the ability of STAA trucks to carry larger loads, including lightweight hazardous materials, is another attribute that could lead to a reduction in trucks needed to transport lightweight hazardous materials. Therefore, an increase in hazardous materials spills is not anticipated.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 7

The comment requests consideration of tourism, that the proposed project runs through a National Recreation Area, and that Del Norte County has experienced economic growth without STAA trucks. Please see Grouped Response #1: Purpose and Need for an explanation regarding the potential benefits of the project in addition to how the Department must meet federal, state, and regional programs, plans, and policies. This project is not anticipated to have a significant effect on tourism, please see Grouped Response # 2 for a complete discussion of tourism effects.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 8

This comment states there are additional sites with safety concerns within the corridor. See response to Grouped Response # 8 for an explanation of how the location of safety improvements are chosen and implemented.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 9

This comment does not provide a comment on the project or the Draft EIR/EA. The commenter states that he was Chief of the Gasquet Fire Department for 15 years and does not recall accidents being caused by the road, but recalls that accidents were caused by weather conditions or the driver's speed. This project was not initiated as a response to collisions. The purpose and need is to make the corridor STAA accessible. Please see Grouped Response # 1 for a full discussion of the purpose and need for the project.

No revisions to the Draft EIR/EA are necessary.

Zuehlke, Elmer

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/14/2010 01:08 PM -----

ERZuehlke@aol.com

To kimberly_hayler@dot.ca.gov

cc

08/20/2010 10:26 AM

Subject STAA access 197 199

Caltrans
Attention Kim Hayler
EnvironmentalCoordinator
P.O.Box 3700
Eureka, CA

Dear Ms. Hayler

Everything is backwards in CalTrans plan to modify North Bank Road (SR 197). North Bank Road is a residential area with old growth redwood trees over it's full length of 7 miles. Also since there are no businesses along that road there is no reason for trucks to be on that road. So put the trucks on the road where the businesses are, US 199 and where it can best serve this vital function of connecting I 5 to Crescent City.

This brings to focus another backwards aspect of the plan, calling SR 197 a short cut. IT IS NOT. I can now drive south on the shortest side of the triangle and back up on the other side and add only 2 more miles. When the section of US 199 through the park is relocated too protect the tourist attraction, both the prize redwoods lining both sides of the road and the picture taking tourists who wonder out on the road at the very popular sub park, as if there were no cars or, worse still trucks, on it safety would be enhanced. Thus road safety would be vastly better, the trees and tourists would be protected, the road could be a strait high speed 4 lane one that might even be shorter than the present trip around the triangle, thus shorter for trucks to get from US 199 to Oregon. But who wants to drive a truck through Brookings? With this win / win plan trucks would also save driving time because the speed limit could be 55 mph. to CC or Oregon.

The modification will force STAA trucks from I 5 to drive 7 miles on the converted SR197 & 3 + more miles on US 101 to get to Crescent City unless they continue to battle the slow speed & the twist & turns of US 199 through the park with the high possibility of killing a tourist. The truckers right now take that horse and buggy US 199 instead of SR 197 and when the north end of US 101 is fixed up, the trucker going to Oregon also will have clear sailing at 55 mph. Oh yes, now the upper part of US 101 doesn't look suitable for the STAA but I think that band aides are being applied right now, I hope, to rectify that problem. The question at this point is, why is Caltrans so adamantly pushing changing SR197, one that is so

1

Zuehlke, Elmer

completely out of character for a 100 % residential area and one that is unsafe beyond belief? Smells like money.

1
cont.

Now with our plan of fixing US 199 through the park, the trucker will love going to CC . But what will he face going to Oregon? Well he can then speed around the 2 short sides of the triangle at 55 mph ignoring the long side., the miss labeled short cut. Even that is an improvement over what he can do now.

For the residences on SR 197, even if the fixes started on SR 197 are not completed, it will be a far safer road without trucks and it will still be a very pleasant & a more safe one for the tourists going to the RED WOOD NATION PARK, the only life blood that seems to be left for CC. How is this for a win / win fix especially when compared with the Caltrans 197 /199 plan?

There is yet another problem with putting trucks on SR 197. Touring bicyclists constantly ride on SR 197 to get to the park. This situation would be so dangerous with the change in SR 197 that bicyclists should not be allowed on it, as with freeways. A MIX OF BIG TRUCKS & BICYCLISTS ON SR 197 IS EVEN WORSE THAN CARS & TRUCKS ON THE SAME ROAD !

2

What is SR 197 ? I hope not special road 197, because it is not special, it is a stand road with it's full length bordering the SMITH RIVER.

3

Also, how can I get a print out of the court reporter's notes ? I have a hearing problem & the Trplicate's story was worthless .

4

Responses to Elmer Zuehlke

Response to Comment 1

This comment states that neither US199 nor SR197 are suitable for trucks, and suggests an alternative route. The Department is uncertain of the location of the alternative truck route. If the proposed alternative truck route is to have trucks use all of Route 199 instead of the Route 197-199 corridor, please see the “US 199 between US 199/SR 197 Intersection Alternative” discussion in Section 1.3.7.1 of the DEIR/EA. That alternative was considered but eliminated from further consideration because of the number of large trees that would have to be removed to improve this segment to STAA standards. Also, SR 197 is the designated route for movement of extralegal loads between US 101 and US 199, and there are no plans to change this.

If the proposed alternative truck route is in another location that requires new highway, or at least new lane construction, the anticipated environmental impacts would be too great to consider that a viable alternative. Environmental impacts would likely include water quality impacts, including many acres of new impervious surface, potential erosion and sedimentation into creeks and rivers; visual impacts; potential wetland impacts; cutting of many trees, some of which may be large redwoods; habitat impacts to, and potential take of sensitive and listed animal and plant species; and monetary costs that would be far greater than the currently proposed project. Please see the Group Response #6 for more details on alternative routes that were considered but eliminated from further consideration in the final EIR/EA.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment states concern for safety. Thank you for your comment concerning the safety of all users on our state highway systems. The Department agrees that the safety of all users is important. While the primary purpose of this project is to accommodate STAA trucks, the proposed project includes safety-enhancing improvements such as; wider lanes, wider shoulders, longer-radius curves, and improved sight distances. These improvements would create more recovery area for vehicles (small or large) as well as provide more space and visibility of pedestrians and bicyclists using the facilities. We also recently installed “Share the Road” signs that display an image of a bicycle. Although there are locations along these highways with no shoulder, bikes and pedestrians are not restricted from using these highway facilities.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

This comment asks what SR197, and whether it is a “special road”. “SR 197” stands for “State Route 197”. This comment does not provide a comment on the project or the Draft EIR/EA.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 4

This comment asks where a print out of the notes of the public meetings can be obtained. Environmental documents, including this one that contains the transcript of the public meeting, are made available at the District 1 Office at 1656 Union Street in Eureka and at the local library in Crescent City. The Final EIR/EA will be available for public viewing at the District 1 office,

the local library, the Del Norte County Local Transportation Commission office, and online for viewing or downloading.

No revisions to the Draft EIR/EA are necessary

Zuehlke, John



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SCOPE

THIS DOCUMENT IS PRESENTED AS COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL ASSESSMENT (HEREINAFTER "DEIR/EA") SUBMITTED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (HEREINAFTER "CALTRANS") FOR THE "197/199 SAFE STAA ACCESS" PROJECT(S).

SUMMARY

1. The use of STAA trucks will have an overall damaging effect on the economics and lifestyle of Crescent City and all of Del Norte County.
2. Allowing STAA trucks access to US-199 in Del Norte County, and North Bank Road (California SR-197) north of Crescent City poses an unacceptable additional risk to the health and safety of the City as well as additionally jeopardizing the fishing and recreational industries that are the lifeblood of the county. The proposed CalTrans "Ruby 2" project on North Bank Road increases all of these risks.
3. If the "Ruby 2" project segment is not scrapped outright, the "Two-Foot Widening In Selected Locations Alternative" is the best proposal of those currently submitted. **THE "FOUR-FOOT SHOULDER ALTERNATIVE," AS CURRENTLY CONFIGURED, IS FAR TOO ENVIRONMENTALLY DESTRUCTIVE TO WARRANT CONSIDERATION. HOWEVER, REALIGNING THE ROADWAY SLIGHTLY MORE TOWARD THE UNDEVELOPED HILLSIDE COULD MAKE THIS ALTERNATIVE ACCEPTABLE.**
4. CalTrans has engaged in unscrupulous, and possibly even criminal, behavior in the promotion of its "197/199 Safe STAA Access" plan.

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SPECIFIC COMMENTS

Part A:

**ISSUES CONCERNING CALTRANS' PROPOSED PROJECTS ALONG US-199
AND NORTH BANK ROAD (SR-197)**

SECTION 1

**THE ALLEGATION OF ECONOMIC BENEFIT TO CRESCENT CITY
CLAIMED BY THE DEIR/EA FOR THE
"197/199 SAFE STAA ACCESS" PROJECTS
IS BASED ON SEVERELY FLAWED RESEARCH.
THE REPORT PRESENTS A BIASED, FALSE, AND MISLEADING CLAIM
THAT THE PROJECTS WILL BENEFIT CRESCENT CITY'S ECONOMY.**

**THE DEIR/EA ANALYSIS PRESENTS ONLY THE HYPOTHETICALLY
"POSSIBLE" ECONOMIC BENEFITS OF THEIR PROPOSED PROJECTS
WHILE IGNORING THE VERY SIGNIFICANT ECONOMIC HARM THAT
WILL BE CAUSED BY THOSE PROJECTS:**

**THE DEIR/EA IGNORES THE SIGNIFICANT LOSS OF PROPERTY TAX
REVENUES** resulting from the considerable loss of property values that will be suffered
by the homes along North Bank Road. Unless the least damaging "alternative" is chosen
for the "Ruby 2" location, most of the homes located there will suffer a proportionally
much greater decline in value than would be suggested by the amount of property being
seized by Caltrans.

2. The DEIR/EA economic analysis does not consider **THE LOSS OF BUSINESS** that
will be suffered **BY THE RESTAURANTS AND MOTELS** along the project route as
team-driven continuously-rolling trucks with on-board living quarters replace the current
smaller single-driver trucks. Crescent City will be especially hard hit since **THE
PROPOSED PROJECTS ENCOURAGE TRUCKS TO COMPLETELY BYPASS
THE CITY!**

5

1 3. The DEIR/EA states that if STAA trucks are not allowed on the US-199/SR-197 route,
2 they would have to be off-loaded to "California Legal" trucks to deliver to Crescent
3 City's merchants, and that this would lead to increased delivery costs. The DEIR/EA
4 ignores the fact that if STAA trucks are allowed, their merchandise will have to be off-
5 loaded to smaller trucks to safely navigate the city streets and utilize the merchant's
6 existing loading docks. Utilizing "California Legal" trucks for the entire route would
7 probably be more economical since they would not have to be off-loaded for local
8 delivery.

5
cont.

9
10 4. Smaller businesses are the backbone of the economy, especially in the smaller towns
11 found in Del Norte County, CA. These smaller businesses would be placed at an
12 increased disadvantage to the "big-box" stores as the "big-boxers" derive savings from
13 the use of non-California-Legal trucks. **THANKFULLY, THESE BIG STORES**
14 **HAVE JOINED THE SMALLER STORES IN DECLARING THAT THEY HAVE**
15 **NO INTENTION OF CONVERTING TO STAA TRUCKING AT THE PRESENT**
16 **TIME!**

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22 SECTION 2:

6

23
24 **THE DEIR/EA ESSENTIALLY IGNORES**
25 **THE SERIOUS THREAT TO CRESCENT CITY'S WATER SUPPLY**
26 **AND DEL NORTE COUNTY'S FISHING INDUSTRY**
27 **WHICH COULD RESULT FROM A TRUCK ACCIDENT SPILLING**
28 **A HAZARDOUS MATERIAL INTO THE SMITH RIVER.**

29
30
31
32 The Smith River is California's ONLY "Wild" river. Its waters are so pure that they are
33 pumped, with little "processing" other than percolating through the river's sand bank,
34 right out of the faucets in Crescent City and the Pelican Bay facility. Gasquet, Hiouchi,
35 and other towns along the Smith similarly rely on the ultra-pure waters of the Smith
36 River. Any spill of toxic or otherwise hazardous material into the Smith could have a
37 devastating effect on the population, and therefore must be prevented at all cost.

38
39 All of North Bank Road (SR-197), and all of US-199 in the project area, lies adjacent to,
40 or in very close proximity to, the Smith River, and there is the **EXTREME** danger that a
41 trucking accident would spill toxic/hazardous/waste materials into the river. It is
42 **ABSOLUTELY IMPERATIVE** that such a spill **NEVER BE ALLOWED TO**
43 **HAPPEN.**

1 **THE DEIR/EA DOES NOT CHALLENGE THE DANGER TO CRESCENT**
2 **CITY'S WATER SUPPLY: INSTEAD IT SIMPLY DISMISSES IT!** The DEIR/EA
3 essentially claims that caltrans' projects will not make the already extreme danger worse
4 because CalTrans expects little change in either the volume of traffic or the quantity of
5 hazardous material that would be shipped over the route. CalTrans is both
6 **UNRESPONSIVE** to the Smith River safety concern comments submitted to it prior to
7 the preparation of the DEIR/EA, and **IRRESPONSIBLE** to propose projects that do not
8 take all reasonable steps to insure that a disaster not occur.

6
cont.

9
10 **CALTRANS MUST, AS A MINIMUM:**

- 11
12 1. **BAN THE TRANSPORT OF TOXIC, HAZARDOUS, OR WASTE MATERIAL**
13 along the US-199/North Bank Road "corridor." Route 20, which is similarly adjacent to
14 a California river, has such a ban, and Crescent City deserves the same level of
15 protection,
16
17 2. **CLEARLY POST AND DEMAND THE STRICT ENFORCEMENT OF AN**
18 **APPROPRIATELY REDUCED MAXIMUM SPEED** limits for large trucks at all
19 truck-challenging locations along the route, and
20
21 3. Engineer the road design to contain any oil or similar spills, and **PREVENT ANY**
22 **SPILLS FROM ENTERING EITHER THE RIVER OR THE GROUND WATER.**

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29 **Part B:**

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31 **ISSUES SPECIFIC TO THE "RUBY 2" LOCATION**

32
33
34 The "Ruby 2" location is a 0.8-mile stretch of North Bank Road running northwest to
35 southeast essentially parallel to the Smith River. On the road's northeast (farther from the
36 river) side, it curves around an undeveloped hill. As this hill was logged over in the
37 relatively recent past, no "old-growth" trees are located on that side of the road.

38
39 Separating the Smith River from the southwest side of North Bank Road is a small
40 community of private residences. A narrow forested band separates the area cleared for
41 the homes from the road. This forested band, running along and quite near to North Bank
42 Road, features several ancient giant redwoods that have been carefully protected by the
43 homeowners. A small stream runs through part of this wooded band. This stream
44 conducts water that emerges from springs on hill and crosses under North Bank Road via
45 culverts. It parallels the road for a distance, and then turns toward, and empties into, the
46 Smith River.

7

1 **THIS FORESTED BAND SERVES MANY IMPORTANT PURPOSES:**
2
3 1. The forested band preserves the forest viewscape for the people driving along North
4 Bank Road by blocking view of the homes from the highway. The traveler is greeted by
5 huge, majestic redwood trees ... some estimated to be over 1,000 years old ... rather than
6 seeing houses. This is especially important since this section of road is an important part
7 of the contiguous forest viewscape linking the Ruby Van Deventer park to the Jedediah
8 Smith Redwood State Park. **WHEN THE NORTH BANK ROAD WAS LAID OUT,**
9 **THE PLANNERS WISELY CHOSE TO PRESERVE THE NATURAL BEAUTY**
10 **OF THE AREA WITH ITS IRREPLACEABLE ANCIENT REDWOODS BY**
11 **ROUTING THE ROAD AROUND THEM RATHER THAN CUTTING THE**
12 **TREES DOWN. ONE WOULD HOPE THAT CALTRANS WOULD DISPLAY A**
13 **SIMILAR RESPECT FOR THE AREA.**
14
15 2. The forested band shields the homes from the sight of, and the noise generated by, the
16 traffic on the road.
17
18 3. The forested band creates a "filter" to capture much of the pollution, especially diesel
19 particulate emissions, created by the traffic on the road. This protects both the health of
20 the homeowners, and the purity of the Smith River.
21
22 4. The trees in the forested band create a very strong mechanical barrier to keep trucks
23 that fail to negotiate the curve from overturning and spilling their cargo into the stream.
24 Anything dumped into the stream will quickly be conducted into the Smith River.
25
26 5. The stream that flows through the forested band helps to protect the homes and yards
27 from being flooded as rainwater cascades down the hill.
28
29 In its DEIR/EA, CalTrans proposes to construct one of three "alternative" projects for the
30 "Ruby 2" location. It designates these as the "Four-Foot Shoulder Alternative," the
31 "Two-Foot Shoulder Alternative," and the "Two-Foot Widening In Selected Locations
32 Alternative."
33
34 According to the DEIR/EA, any one of the three alternatives will provide the a road curve
35 radius of 400 feet or more, which will allow the safe passage of oversize STAA trucks.
36
37 **THE "FOUR-FOOT SHOULDER ALTERNATIVE," AS CURRENTLY**
38 **PROPOSED BY CALTRANS IN ITS DEIR/EA, IS BY FAR THE MOST**
39 **ENVIRONMENTALLY DESTRUCTIVE OF THE ALTERNATIVES.** This
40 alternative calls for the immediate destruction of 49 trees, including 27 redwoods.
41 CalTrans admits that the redwoods to be sacrificed include ancient "old-growth" trees of
42 up to 37-feet in circumference! All of these giant ancients are located on the developed
43 residential properties!

7
cont.

1 In addition, this alternative calls for permanently seizing a 50-foot "Right of Way" from
2 the homeowners. This appears to include much, if not all, of the vital forested band.
3 **THE CURRENTLY PROPOSED "FOUR-FOOT SHOULDER ALTERNATIVE"**
4 **IS FAR TOO ENVIRONMENTALLY DESTRUCTIVE AND DAMAGING TO**
5 **THE RESIDENTS TO WARRANT ANY FURTHER CONSIDERATION.**

6
7 **IF CALTRANS RE-ALIGNED THE ROADWAY SLIGHTLY MORE INTO THE**
8 **UNDEVELOPED HILLSIDE, AND DID NOT SEIZE ANY OF THE**
9 **RESIDENTIAL PROPERTY ON THE RIVER SIDE OF THE ROAD, FOUR-**
10 **FOOT SHOULDERS WOULD BE POSSIBLE WITHOUT SIGNIFICANT**
11 **ENVIRONMENTAL DAMAGE TO THE AREA. EVEN THOUGH THIS**
12 **CHANGE WOULD PROBABLY SOMEWHAT INCREASE THE COST OF THE**
13 **PROJECT, IT WOULD ALSO ALLOW AN EVEN GREATER CURVE RADIUS**
14 **AND BETTER VISIBILITY FOR THE DRIVERS.**

15
16 The "TWO-FOOT SHOULDER ALTERNATIVE" initially destroys only 22 trees (17
17 of which are redwoods). **NO OLD-GROWTH TREES WOULD BE DESTROYED**
18 because all of the trees which CalTrans proposes to removal lie on the previously logged
19 side of the road. **FOR THIS ALTERNATIVE, CALTRANS PROPOSES TO**
20 **PERMANENTLY SEIZE A 40-FOOT "RIGHT OF WAY"** from the homeowners
21 that still appears to include much of the forested band.

22
23 The "TWO-FOOT WIDENING IN SELECTED LOCATIONS ALTERNATIVE"
24 appears to be the least ecologically damaging of the alternatives presented by CalTrans.
25 It destroys the fewest trees: 18 trees total and only 5 redwoods. For this alternative,
26 CalTrans proposes to seize a 35- to 45-foot "Right of Way" from the residences, as well
27 as additional "temporary construction easements" from four of the properties. If STAA
28 access is granted, this would be the alternative of choice provided that none of the 5
29 redwood trees to be destroyed is "old-growth," and that CalTrans returns the temporary
30 easement properties in the condition that CalTrans got them.

31
32
33 **THE DEIR/EA DOES NOT PRESENT ANY JUSTIFICATION FOR CALTRANS**
34 **TO SO GREATLY INCREASE ITS "RIGHT OF WAY" FOR SUCH MINOR**
35 **WIDENING OF THE ROADWAY.**

36 Acquiring land and clearing vegetation on the **INSIDE** radius (hill-side) of the roadway
37 allows the curve radius to be enlarged and improves the visibility of opposing traffic.
38 However, **NOTHING CAN BE DONE TO THE OUTSIDE RADIUS OF THE**
39 **CURVE (HOME AND RIVER SIDE) -- short of putting up mirrors -- THAT**
40 **WOULD HAVE ANY EFFECT ON THIS VISIBILITY! DOES CALTRANS**
41 **HAVE SOME FUTURE AGENDA FOR THIS SIGNIFICANT PERMANENT**
42 **SEIZURE OF THE HOMEOWNER'S PROPERTIES? POSSESSING THIS**
43 **ADDITIONAL "RIGHT OF WAY" WOULD GREATLY FACILITATE MORE**
44 **ENVIRONMENTAL DAMAGE ON THIS LAND THAN IS CURRENTLY**
45 **PROPOSED IN THE DEIR/EA.**

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CONCLUSIONS

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1. CALTRANS IS DELIBERATELY MISLEADING THE PEOPLE AND GOVERNMENT OFFICIALS BY ATTEMPTING TO SELL THE 197/199 SAFE STAA ACCESS PROJECT AS BEING BENEFICIAL TO THE RESIDENTS OF CRESCENT CITY AND DEL NORTE COUNTY WHILE DOWNPLAYING THE TRUE REASON FOR THE PROJECT. The project's main objective is to provide a shortcut route bypassing Crescent City to linking I-5 with US-101 for the long-haul trucking industry. The drivers and their companies are overwhelmingly, if not entirely, from outside the county, and, when the provisions of NAFTA are fully implemented, some of the trucks traveling the route will be driven by include non-US drivers.

8

2. THE 197/199 SAFE STAA ACCESS PROJECT WILL NOT BENEFIT THE ECONOMIES OF CRESCENT CITY NOR DEL NORTE COUNTY. The only businesses in the county that **MIGHT** benefit from the use of STAA trucks are the handful of "big-box" retailers and the Smith River farm of a multi-national lily bulbs grower! **SMALL BUSINESSES FORM THE BACKBONE OF THE ECONOMY, AND GIVING "BIG-BOX" GIANTS A COMPETITIVE ADVANTAGE WILL SIGNIFICANTLY HARM DEL NORTE'S ECONOMY.**

9

3. CONTINUOUSLY ROLLING, TEAM-DRIVEN TRUCKS SHOULD BE BANNED FROM OPERATING ON WINDING MOUNTAIN OR FOREST ROADS. The constant swaying of the trucks as they wind back and forth along a serpentine road has a serious adverse impact on the quantity and quality of sleep attainable by the "off-duty" drivers. Driver fatigue is the number one cause of trucking accidents.

10

4. ENCOURAGING THE CONVERSION TO LONG-HAUL, TEAM-DRIVEN TRUCKS, AS IS COMMON IN STAA FLEETS, NOT ONLY TAKES JOBS AWAY FROM THE LOCAL TRUCKING INDUSTRY, IT ALSO SUBSTITUTES DRIVERS THAT ARE FAR LESS FAMILIAR WITH DRIVING IN THE CHALLENGING MOUNTAINOUS AND FORESTED TERRAIN OF THIS AREA FOR THE LOCALS. THIS, COMBINED WITH THE INCREASINGLY COMMON PRACTICE OF LONG-HAUL TRUCKERS WHO ARE SQUEEZED BETWEEN RISING FUEL PRICES AND DECLINING BUSINESS TO IGNORE MAXIMUM SPEED LIMITS, IS A RECIPE FOR DISASTER.

5. CALTRANS MUST MAKE SAFETY THE PRIMARY GOAL of any project, especially one that can have such serious adverse impacts on the health and welfare of the community. The water supply of Crescent City, Gasquet, Hiouchi, and Smith River are put into increased peril by the proposed projects **TRUCKS CARRYING TOXIC/HAZARDOUS/WASTE MATERIALS SHOULD BE BANNED FROM OPERATING ON ANY ROUTE RUNNING ALONGSIDE A MAJOR FISHING RIVER OR ONE SUPPLYING DRINKING WATER.** The Smith River qualifies in both categories. These cargoes are banned from similar routes elsewhere in California, they must be banned along US-199 and North Bank Road also!

11

- 1 6. CALTRANS SHOULD CONCENTRATE THEIR EFFORTS AND REVENUES
2 ON CORRECTING THE WORST STRETCHES OF ROADWAY, SUCH AS THE
3 EXTREMELY HAZARDOUS SPOT ALONG US-199 WHERE A TRUCK
4 ACCIDENT IN 2008 CAUSED A MAJOR SPILL. THAT SPILL, EVEN
5 THOUGH OF RELATIVELY BENIGN OIL, SERIOUSLY THREATENED THE
6 SMITH RIVER AND TOOK ABOUT A YEAR TO CONTAIN AND CLEAN UP.
7
- 8 7. THE BEST CHOICE FOR THE "197/199 SAFE STAA ACCESS" PROJECT IS
9 THE "NO BUILD (NO ACTION) ALTERNATIVE". The accidents (all, thankfully,
10 none fatal) along North Bank Road have overwhelmingly been caused by excessive
11 speeds especially when the pavement was wet. Posting a reduced speed limit as well as
12 "Slippery When Wet" warning signs would probably have a greater effect on reducing
13 accidents than the very costly widening and re-alignment. OPENING NORTH BANK
14 ROAD TO EVEN LARGER AND LESS MANEUVERABLE TRUCKS, AND THE
15 INCREASED SPEEDS THAT WILL PROBABLY RESULT FROM THE OTHER
16 CHANGES, WILL INCREASE BOTH THE NUMBER, AND THE SERIOUSNESS
17 OF FUTURE ACCIDENTS.
18
- 19 8. THE "FOUR-FOOT SHOULDER ALTERNATIVE" FOR "RUBY 2," AS
20 CURRENTLY CONFIGURED, WOULD CAUSE TOTALLY UNACCEPTABLE
21 DAMAGE TO THE ENVIRONMENT, BOTH BIOLOGICAL AND HUMAN,
22 AND MUST BE SCRAPPED. HOWEVER, WITH MINOR REALIGNMENT
23 TOWARD THE UNDEVELOPED HILLSIDE, IT PROBABLY COULD BE
24 MADE ACCEPTABLE.
25
- 26 9. THE BEST ALTERNATIVE – OTHER THAN NOT BUILDING THE "RUBY
27 2" PROJECT AT ALL – WOULD BE "TWO-FOOT WIDENING IN SELECTED
28 LOCATIONS."
29
- 30 10. NO MATTER WHAT IS DONE AT "RUBY 2," THE CALTRANS PROPOSAL
31 TO RELOCATE ALL OF THE MAIL BOXES TO THE INTERSECTION OF
32 NORTH BANK AND KASPER/KEENE ROADS IS ABSOLUTELY
33 RIDICULOUS! FORCING HOMEOWNERS, INCLUDING SENIOR CITIZENS
34 AND THE HANDICAPPED, TO HIKE LONG DISTANCES (SOME OVER ONE
35 MILE!) ALONG A NARROW AND BUSY TRUCK ROUTE IS CRUEL AND
36 ABSURD!
37
- 38 11. THE DEIR/EA ADMITS THAT THE REMOVAL OF TREES, ESPECIALLY
39 "OLD-GROWTH" REDWOODS CAN HAVE A PERMANENT ADVERSE
40 EFFECT ON PROTECTED SPECIES. CALTRANS' ATTITUDE, AS
41 EXPRESSED IN THE DEIR/EA, THAT THESE ENDANGERED SPECIES
42 SHOULD RE-LOCATE TO MORE SUITABLE HABITATS VIOLATES THE
43 SPIRIT, IF NOT THE LETTER, OF OUR ENVIRONMENTAL PROTECTION
44 LAWS!
45
- 12
13
14
15

Zuehlke, John

1 12. In its DEIR/EA, CalTrans proposes several "mitigation" measures that it claims will
2 compensate for the destruction of "old-growth" redwoods including ancients up to 37 feet
3 in circumference that have lived since before Columbus "discovered" America! **THE**
4 **MEASURES THAT CALTRANS PROPOSES IN ITS DEIR/EA RANGE FROM**
5 **THE LAUGHABLE TO THE POSSIBLY CRIMINAL, AND DO NOTHING TO**
6 **LIMIT OR "MITIGATE" THE ENVIRONMENTAL HARM OF THE PROJECT,**
7 but rather range from off-site compensation to apparent outright bribery:
8
9 12.1 In its DEIR/EA, CalTrans proposes to provide some secure trash bins to the Ruby
10 Vandevanter county park to prevent "corvid" birds such as crows, ravens, magpies, and
11 jays from feeding in the garbage. This, it claims will deter these birds from eating the
12 eggs of an endangered bird, the marbled murrelet. **APPARENTLY CROWS AND**
13 **RAVENS THAT HAVE GORGED THEMSELVES ON GARBAGE ARE MORE**
14 **LIKELY TO EAT MURRELET EGGS THAN HUNGRY BIRDS!** Or, is it that
15 CalTrans believes that crows, ravens, jays, etc. are only in the forest because humans
16 have brought in waste bins, and will leave if that food source becomes unavailable.
17
18 12.2 CalTrans proposes to clear invasive "exotic" plants from their "Rights of Way."
19 Isn't such cleanup normal every-day road maintenance work? **IT IS BITTERLY**
20 **IRONIC THAT CALTRANS PROPOSES TO REMOVE PLANTS FROM THE**
21 **SEIZED "RIGHT OF WAY" IN ORDER TO PROTECT THE REDWOODS AND**
22 **OTHER "NATIVE" SPECIES, AND THEN CUT DOWN MANY OF THE VERY**
23 **REDWOODS IT CLAIMS TO BE PROTECTING!**
24
25 12.3 CalTrans' EIR/EA proposes a third "mitigation" measure: **USING TAXPAYER'S**
26 **MONEY TO PURCHASE "OLD-GROWTH" TREES** from private parties – probably
27 lumbering corporations – **AND TRANSFERRING THEM TO** a "conservation
28 organization." The DEIR/EA specifically names **THE "SAVE-THE-REDWOODS**
29 **LEAGUE."** Clearly, for the "Save-the Redwoods League" or similar organization to
30 receive the valuable "gift," the CalTrans projects would have to be approved. This action
31 by CalTrans **WOULD SEEM TO BE TO BE A "QUID PRO QUO" CASE OF**
32 **ATTEMPTING TO BRIBE THE "SAVE-THE-REDWOODS LEAGUE" IN**
33 **ORDER TO STOP THEIR OTHERWISE EXPECTED OPPOSITION TO THESE**
34 **ENVIRONMENTALLY DESTRUCTIVE CALTRANS PROJECTS!**
35
36
37 Respectfully Submitted,
38
39
40
41 John Zuehlke
42 5526 Marietta Avenue
43 Sherman Oaks, California
44 91401-5709
45 (818) 785-7548
46 jpzuehlke@prodigy.net

Responses to John Zuehlke

Response to Comment 1

This general comment states that STAA trucks will have an overall damaging effect on the economies and lifestyle of Crescent City and Del Norte County summarizing specific comments made in comments 5 and 9. Please see the responses to those comments for a discussion of specific issues raised by this commenter. The Draft EIR/EA addresses impacts on the human environment, including land use, growth, community, and visual/aesthetic resources in Section 2.1, “Human Environment.” The Community Impact Assessment prepared for the project (Trott 2010) evaluates both the adverse and beneficial socioeconomic effects of the project, concluding that the project would result in temporary adverse effects on communities and businesses due to construction delays and other construction-related effects, permanent minor community-level effects resulting from a small increase in truck traffic on the SR 197/US 199 route, and small permanent regional economic benefits, including increased employment and income, resulting from lower shipping costs in Del Norte County. Additionally, the traffic analysis indicates no substantial adverse impacts on the roadway, transit, bicycle, or pedestrian systems or their operation within the study area. Traffic would generally travel at free-flow speeds on US 199 through Hiouchi and Gasquet. Based on the anticipated small increase in heavy-truck traffic through these communities under with-project conditions, the existing barrier between parts of these communities created by US 199 would not change appreciably and community cohesion effects are anticipated to be minor. The results of this analysis are reflected in Section 2.1, “Human Resources,” of the Draft EIR/EA. Also, see Grouped Response #8 for a discussion of safety and anticipated increases in truck traffic and how that is anticipated to affect the local communities.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment summarizes concerns regarding health, safety, and recreation as well as the Ruby 2 improvements location. These issues are discussed in greater detail within other comments raised by this commenter. Please see the response to comments 6 and 7, below.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

This comment states that the Two-Foot Widening in Spot Locations is the best Ruby 2 alternative and that the Four-foot Widening alternative is too environmentally destructive. The Department has chosen the Two-Foot Widening in Spot Locations as the preferred alternative for Ruby 2.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 4

This comment states that Caltrans is engaged in “unscrupulous” and criminal behavior. The proposed project is being considered by the Department to be in compliance with federal and state legislation and regional programs, plans, and policies. Please see Grouped Response #1: Purpose and Need for an explanation of the above.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 5

This comment states that the DEIR/EA ignores significant loss of property tax revenues. While the comment is correct in noting that the Draft EIR/EA does not include information on the loss of property tax revenue attributable to the acquisition of additional right-of-way for the project, this economic effect was addressed in the Community Impact Assessment prepared for the project. As discussed on pages 4-86 through 4-88 of that report, right-of-way acquisitions from private properties would result in the estimated annual loss of property tax revenue ranging from \$7,120 to \$10,940 annually, based on the countywide 1% property tax rate. On average, Del Norte County receives about 18% of the property tax revenues generated by the 1% tax levy on the value of properties within its jurisdiction. Therefore, property tax revenue losses to Del Norte County would range from an estimated \$1,280 to \$1,970, representing less than 0.1% of its total property tax revenues. Although adverse, this loss would not be substantial.

Property value effects resulting from the narrow strip acquisition of right-of-way from residential properties along SR 197 (North Bank Road) were not addressed in the Draft EIR/EA, although the size of the strip acquisitions and potential effects of the acquisitions on affected residential properties are evaluated in Section 2.1.1, “Land Use.” Homeowners would be compensated for the value of property acquired for right-of-way, which would presumably offset the property value effects of the acquisitions on individual property owners. See the response to EPIC’s Comment #8 for further discussion regarding impacts due to right of way acquisition of residential parcels.

The comment states that there will be an economic loss by business which cater to truckers stopping, specifically restaurant and hotel businesses. This was decrease in business was determined to be minor and not significant, see Grouped Response #2.

This comment states that STAA trucks would need to be offloaded to California Legal trucks to make deliveries to Crescent City businesses, resulting in increased delivery costs. In most cases, STAA trucks would be able to access local businesses without first offloading cargo.

This comment raised the issue that providing improved STAA truck access to Del Norte County could attract more large retailers (so-called “big-box” stores) to the study area, drawing sales away from existing retailers. Currently, big-box retailers Wal-Mart and Home Depot are located in the Crescent City area, a Target, a Kmart, a Walmart and a WinCo are located in Eureka, and a Kmart in McKinleyville. As discussed in the Community Impact Assessment prepared for the project, large retailers surveyed for the traffic study indicated that providing STAA access along the SR 197–US 199 corridor would do little to change their operations and would not likely generate expansion of their businesses. Therefore, it is unlikely that the incrementally lower transportation costs provided by improved STAA truck access to Del Norte County would play a dominant role in attracting new big-box retailers to Del Norte County and effects on smaller retailers would be minimal. (This issue is discussed in greater detail on pages 4-42 through 4-44 of the Community Impact Assessment.)

The Draft EIR/EA makes no specific claim that the project would generate economic benefits to Crescent City, although, as discussed on page 2.1-44 of the Draft EIR/EA, providing STAA truck access on SR 197 and US 199 could result in the creation, in the near term, of 30 or more

jobs in Del Norte County (a 0.3% increase in employment compared to existing county employment levels) and an estimated \$1.4 million in annual personal. Some of these jobs would likely be located in Crescent City. The comment does not identify in what way research conducted for the Draft EIR/EA is “severely flawed” or in what way the findings of the Draft EIR/EA are “biased, false, and misleading; therefore, no response is possible to this general comment.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 6

This comment asserts, in part, that the Draft EIR/EA ignores the potential for hazardous materials spills that would impact the water supply and fishing industry. While spills caused by traffic collisions have resulted in pollutants reaching the Smith River in the past, the proposed project improvements will likely improve safety for all users. Please refer to the response to Vern Powers’ Comment 1 for a discussion regarding the concern for potential increase in hazardous material spills.

To ensure beneficial uses of the Smith River are protected from the proposed improvements, the Department will implement Best Management Practices (BMPS) at each project location to minimize or avoid degradation of storm water runoff flowing to the Smith River and its tributaries. The Smith River beneficial uses include: municipal and domestic water supply; water contact recreation; commercial and sport fishing; cold fresh water habitat; wild life habitat; rare, threatened, or endangered species; migration of aquatic organisms; spawning, reproduction, and/or early development; and others. See Chapter 2, Section 2.2.2 for a discussion of water quality issues. In addition, mitigation measures such as implementation and adherence of regulatory control measures and implementation of Contract Standard Specifications, Special Provisions, and Permit Requirements will reduce any potential water quality impacts.

The commenter states that the transport of hazardous materials should be banned from US 199. This comment does not provide a comment on the Draft EIR/EA, however, it should be noted that the scope of this STAA project does not change the status of the Hazardous Materials transportation routes currently approved and that the STAA improvements included in the proposed project will improve road conditions and provide for a safe roadway for all users.

The commenter thinks that strict enforcement of a reduced speed limit for large trucks is appropriate. The California Highway Patrol is responsible for speed enforcement on all state highways. And while adherence to posted speed limits can be increased by traditional law enforcement, resources for all state agencies are limited. See Grouped Response # 8 for a discussion of speed limits.

Finally, the commenter also states that the roads should be designed to prevent spills from entering the Smith River. The Department will follow the Highway Design Manual for all signing and drainage design. As discussed in Section 2.2.4 of the DEIR/EA, a collision leading to accidental release of hazardous materials could happen unexpectedly, regardless of whether the proposed project is constructed and the corridor is re-designated as STAA accessible.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 7

This comment, in part, discusses each Ruby 2 alternative and the potential take of both property right-of-way and large growth redwoods and that the commenter prefers the Two-Foot Widening in Spot Locations alternative as it's the least damaging. The Department has chosen the Two-Foot Widening in Spot Locations as the preferred alternative for Ruby 2. The commenter also asserts that the Department does not provide any justification for right-of-way takes as proposed by the Ruby 2 alternatives. The proposed approximate 35-ft right of way acquisition was developed to be consistent with the Department's Highway Design Manual, but the reason this right of way acquisition is important to the Department and is being proposed is to allow maintenance and repair of drainage facilities and slopes adjacent to the highway without needing to obtain a permit to enter or temporary construction easement.

The commenter's suggestion of cutting into the hillside would involve potentially significant tree take, additional environmental effects, constructions of earthwork or walls due to steep slopes, and the potential to destabilize slopes that are well-vegetated and relatively stable. The centerline of the new road will be very close to the existing centerline in the vicinity of the large trees that the comment is concerned about, meaning that there would be minimal change or ground disturbance on the roadside. In the areas where the alignment diverges from the existing alignment, such as near the reversing curves at the center of the project, cutting into the slope is not necessary to provide truck access.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 8

This comment states that Caltrans is misleading the public, and the true objective of the project is to provide a shortcut that bypasses Crescent City. The purpose and need of the project was stated in the Draft EIR/EA, Section 1.2. Please see Grouped Response #1: Purpose and Need. This project does not provide a shortcut to bypass Crescent City, as both SR 197 and US 199 connect to US 101 north of Crescent City. The remainder of this comment is not regarding the Draft EIR/EA.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 9

This comment states that the project will benefit large retailers. As discussed in detail on pages 4-78 through 4-80 of the Community Impact Assessment prepared for the project, most producer/exporter businesses surveyed for the project's traffic study indicated that the proposed project would lower their transportation costs and provide financial benefits to their firms. As discussed, 15 producer/exporter businesses responded in some fashion to the survey, with nine reporting that opening the SR 197-US 199 route to STAA trucks would reduce their transportation costs to some extent. The survey found that lily bulb producers were the most likely producer business to benefit from project improvements, but other Del Norte County businesses, including a wood-product producer and a dairy, also would benefit from project improvements. Conversely, large retailers are not anticipated to substantially benefit from the project. As discussed in the response to Comment 5 and in detail in the Community Impact Assessment prepared for the project (pages 4-42 through 4-44), large retailers surveyed for the traffic study indicated that providing STAA access along the SR 197-US 199 corridor would do

little to change their operations and would not likely generate expansion of their businesses. Therefore, it is unlikely that the incrementally lower transportation costs provided by improved STAA truck access to Del Norte County would play a dominant role in attracting new big-box retailers to Del Norte County, nor would it substantially affect the existing competitive relationship between small and large retailers in Del Norte County.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 10

This comment states that “Team Driven” Trucks will contribute to driver fatigue due to poor sleeping conditions in the back of a moving truck. The level of use of Team Driven vehicles and fatigue levels of drivers is speculative

In response to the comment that “driver fatigue is the number one cause of trucking accidents”, we offer the following information. During the five year time period between 10/1/2002 and 9/30/2007 the segment of DN 199 from the intersection with DN 197 to the Oregon border had a total of 42 collisions that involved large trucks or buses. None of these collisions were reported to have a primary collision factor of “fell asleep”.

In response to the comment that “truckers...ignore maximum speed limits”, we have the following information to offer. The California Vehicle Code (CVC) Basic Speed Law (Code 22350) states that “No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.”

When the California Highway Patrol codes a collision with “speeding” as the primary collision factor, it may not be that the motorist was driving faster than the posted speed limit, but they could also be cited for driving too fast for conditions, and breaking the basic speed law. Of the 42 truck/bus collisions on DN 199 during the 5 years, 22 had a primary collision factor of speeding.

The CVC Code 22406, Maximum Speed for Designated Vehicles, states that “no person may drive any of the following vehicles on a highway at a speed in excess of 55 miles per hour; a motortruck or truck tractor having three or more axles or any motortruck or truck tractor drawing any other vehicle.”

No revisions to the Draft EIR/EA are necessary

Response to Comment 11

This comment reiterates concern regarding hazardous materials spills. See response to Comment 6 above, and the response to Vern Powers’ Comment 1 for a discussion regarding the concern for potential increase in hazardous material spills.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 12

The comment states that the Department should direct their efforts to other areas of concern. This comment is not regarding the Draft EIR/EA specifically. The Department agrees that safety for all roadway users is a priority. Please see Grouped Response #8: Safety and response to Center for Biological Diversity's Comment 6 for discussions regarding safety.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 13

This comment expresses support for the No Build alternative and submits that posting a reduced speed limit and additional hazard signs would be more effective at improving safety than roadway improvements. The No Build Alternative does not meet the Purpose and Need of the project, see Group Response #1. The Department follows the law and established policy in setting speed zones that ensure the safe and orderly movement of traffic on state highways. This includes continuing to work in consultation with local agency and community transportation groups and in coordination with the California Highway Patrol. See Grouped Response # 8 for an explanation regarding the process for reducing speed limits below the state maximum.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 14

This comment reiterates that the No Build alternative is ideal; however, the Ruby 2 Two-Foot Widening in Spot Locations Alternative is preferred to the Ruby 2 Four-Foot Shoulder Alternative. Caltrans selected the Ruby 2: Two Foot Widening in Spot Locations as the preferred alternative. The comment also states that moving resident's mailboxes is absurd. Caltrans coordinated with the Post Office to find reasonable, safe and convenient locations for the mailboxes.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 15

This comment states that the mitigation measures for removing large redwood trees are not sufficient. No redwoods with a diameter greater than 36 inches will be removed. Where excavation is planned near redwoods with a diameter greater than 36 inches, measures will be taken to protect the roots. See Grouped Response # 4 for a discussion regarding impacts to large redwoods. Caltrans is following all laws and is consulting with appropriate agencies to ensure compliance with all environmental regulations. Additionally, Caltrans selected the Ruby 2: Two Foot Widening in Spot Locations as the preferred alternative, which had no removal of or significant impacts to large redwoods, and therefore would not require mitigation.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 16

This comment questions the effectiveness of the corvid control measures proposed as mitigation for the removal of large redwoods. Studies have shown that crows, ravens, jays, etc. are more abundant where humans have made food more available for them. Reducing food availability (corvid proof trash containers) will reduce corvid density. It is also known that corvids are

predators on marbled murrelet eggs. Therefore, covered trash containers may reduce local corvid densities and thus reduce corvid egg predation rates. Additionally, Caltrans selected the Ruby 2: Two Foot Widening in Spot Locations as the preferred alternative, which had no significant removal of large redwoods, and therefore would not require mitigation. See Grouped Response # 4 for a discussion regarding impacts to large redwoods.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 17

This comment questions the effectiveness of the removal of invasive plants proposed as mitigation for removal of large redwoods. Removal of invasive non-native plants will improve habitat quality at the location by decreasing competition for native plants and increasing the amount of native habitat for wildlife. No redwoods with a diameter greater than 36 inches will be removed. Where excavation is planned near redwoods with a diameter greater than 36 inches, measures will be taken to protect the roots. Additionally, Caltrans selected the Ruby 2: Two Foot Widening in Spot Locations as the preferred alternative, which had no removal of large redwoods, and therefore would not require mitigation. See Grouped Response # 4 for a discussion regarding impacts to large redwoods.

The DEIR/EA states that Caltrans would implement a 3-year program of invasive weed control in all areas of disturbed soil, this effort would not necessarily extend to the limits of the Right of Way. Caltrans does have limited funds for general control of invasive weeds on a project specific basis based on need.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 18

This comment questions the effectiveness of the preserving old-growth redwood stands as proposed mitigation for removal of large redwoods. Save the Redwoods League is just one example of an organization which could potentially managed such lands if such a mitigation is pursued. Caltrans selected the Ruby 2: Two Foot Widening in Spot Locations alternative, which had no significant removal of large redwoods, and therefore would not require mitigation. No redwoods with a diameter greater than 36 inches will be removed. Where excavation is planned near redwoods with a diameter greater than 36 inches, measures will be taken to protect the roots. See Grouped Response # 4 and the PRDEIR/SEA for a discussion regarding impacts to trees.

No revisions to the Draft EIR/EA are necessary.

3.4 Public Meeting Transcript

A meeting to provide the public an opportunity to review and comment on the Draft EIR/EA was held on July 13, 2010 at the Crescent City Cultural Center. A court reporter was present to take comments directly from individuals before and after the meeting (commenters 1-9) as well as to record the entire public comment session (commenters 10-27). The transcript of that meeting, list of commenters, and responses to comments is below.

Individuals Who Commented before or after Public Meeting

- Zuehlke, Elmer
- Brown, Daniel
- Pass, Don
- Reichlin, Dwayne (President of Hambro Group)
- Gillespie, Don (representing Friends of Del Norte)
- Johnston, Meagan
- Rupert, DeAnn
- Kasbohm, Janet
- Sullivan, Mike (Del Norte County Board of Supervisors)
- Bruce, Donald

Individuals Who Commented during Public Meeting

- Reichlin, Dwayne (President of Hambro Group)
- Olson, Curt
- Zottola, Gina (rep CC-Del Norte County Chamber of Comm.)
- Johnston, Meagan
- Rupert, DeAnn
- Bruce, Dori
- Noble, Katherine
- Zuehlke, Elmer
- Gillespie, Don
- Reichlin, Dwayne
- Rupert, Jean
- Smaller, Gary

- Rupert, Jean
- Rupert, DeAnn
- Johnston, Meagan
- Zuehlke, Elmer
- Compton, Charlie

Public Meeting Transcript

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TRANSCRIPTION OF PUBLIC HEARING RE:
197/199 SAFE STAA ACCESS

TUESDAY, JULY 13, 2010
CRESCENT CITY CULTURAL CENTER
1001 FRONT STREET
CRESCENT CITY, CALIFORNIA

BROOKS & BROWN REPORTERS
1018 Second Street
Eureka, California 95501
(707) 268-0233

Reported by:
SHERYL A. BROWN
CSR No. 3908

Brooks & Brown Reporters
(707) 268-0233

Public Meeting Transcript

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14		
15	---o0o---	
16		
Commenters 17	PUBLIC COMMENT SESSION:	13
10 thru 27 18	BEFORE KIM HAYLER, ENVIRONMENTAL COORDINATOR,	
19	MODERATED BY MIKE HALVERSON	
20		
21	---o0o---	
22		
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1 CRESCENT CITY, CALIFORNIA; TUESDAY, JULY 13, 2010

2 5:00 P.M.

3 ---o0o---

4
5 INDIVIDUAL COMMENTS

1-1

6
7 MR. ZUEHLKE: The first thing is a question.
8 You see, I want to know if they have checked any
9 alternate routes to 197. See, I live on 197. And 197,
10 other than parks and a gravel pit, which is a nothing, is
11 a hundred percent residential. It should not have trucks
12 on it. I will -- with STAA trucks, even now with heavy
13 trucks, because of the lack of visibility, I'm in
14 jeopardy of driving out of my driveway onto the road.

1-2

15 And trucks and cars, especially the modern cars,
16 do not belong together on the road. I live in
17 Los Angeles half of the year and half of the year up
18 here, beautiful spot on 197. And Los Angeles, to a
19 reasonable degree, already realizes that they've got to
20 minimalize, at least, truck traffic and vehicle traffic
21 on the same road. We have a number of cases of actual
22 restriction on residential roads, of trucks. The other
23 thing is, in my book, it's an absolute necessity for any
24 mountainous road to have at least two lanes each way; in
25 other words, a four-lane road.

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1-2
cont.

1 So, right now, as an alternative, if they want
2 to save money, just forget about 197. A lot of people
3 don't like that, but I think that's an easy way out.
4 Forget about 197. And fix the little bit of 199 that
5 goes through the park. Build a new four-lane road,
6 parallel to the present 197.

7 Leave 197 for the tourists, because there's a
8 beautiful tourist spot there. And the tourists,
9 especially, when they back out in the road to take a
10 picture, are in real jeopardy, and the driver is, also.
11 In fact, my neighbor says that he would just rather not
12 drive on that part of -- see, we're in the middle of 197,
13 so we can go to 101 or 199. I always go to 199 because
14 it's shorter. I think he's an Oregonian. He lives in
15 our place period-- just a week or two at a time. And
16 so, he, I think, tends to go the other way, even though
17 it's longer.

18 See, you know, this is the easy way for me. I
19 have been putting all of this in my computer, but at my
20 age I don't type properly. So, this is really very easy.

2-1

21 MR. BROWN: My name is Daniel Brown. I've been
22 a commercial driver for 22 years. I've driven a 65-foot
23 tractor-trailer on Route 199 over 50 times. Whatever it
24 takes to make this better for larger trucks is what needs
25 to happen. The roads were made for commerce, not

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2-1
cont.

1 leisurely travel.

2 Using a 53-foot trailer, as opposed to a 48,
3 adds four additional pallets per load. For approximately
4 every five to six truckloads, you eliminate another
5 truck. So, it's an ecologically sound decision to
6 eliminate the number of trucks that have to come through,
7 due to the smaller loads they are required to carry at
8 this point.

3-1

9 MR. PASS: I'm in favor of the retaining walls
10 on Washington Curve and the alternative bridge with the
11 fake arch. I think that's what really looks nice.
12 That's really the only comment I have is the visual
13 treatments are very well done.

14 I'm a recreational planner, and I was on a field
15 trip when I went up there. Yeah, the box girder design
16 with the retaining wall on the bridge is probably my
17 favorite.

4-1

18 MR. REICHLIN: I'm the president of the
19 Hambro Group, and we own businesses in Crescent City,
20 Del Norte County, and Humboldt County, and in Lenoir,
21 North Carolina. And we have been working on the STAA
22 truck access for about 12 years. And we are fully in
23 favor of having STAA access, both through
24 Richardson's Grove and up 199 and on 197, in order to
25 provide jobs for young working families that I believe

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4-1
cont.

1 are being denied that opportunity now.

5-1

2 MR. GILLESPIE: I represent the Friends of
3 Del Norte, a local environmental group. And, you know,
4 my main concern, I guess, is the safety considerations of
5 increasing truck traffic, especially the big STAA trucks
6 on Highway 199. And even though it says in the Draft EIR
7 it's only going to increase it by, like, 17 trucks per
8 day, but by 2030 that goes up to 92 trucks per day. And
9 so, I think that's a significant safety issue on a road
10 that's already fairly dangerous, regardless of the
11 improvements you guys are going to make. It still
12 remains fairly dangerous.

13 And it said in your Draft EIR that the second
14 priority of this project, the second-most important
15 priority, is safety of the motorists. And with truckers,
16 truck drivers, who are used to driving freeways, as
17 opposed to highways like 199, I think it's going to --
18 encouraging STAA trucks is going to just increase the
19 safety hazards.

5-2

20 I'm also concerned about increased possibilities
21 for spills of toxic chemicals into the Smith River.
22 There was just a letter to the editor today by a
23 citizen -- I'm not sure who -- but just worried about
24 increased hazards of chemicals and toxic substance into
25 the river.

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5-3

1 And then, in the EIR, for the Friends of
2 Del Norte, I asked for a geotechnical study be made
3 public for the projects on Milepost 23.9 and 24.8, which
4 is both The Narrows and the Patrick's Creek Curve. And I
5 haven't seen the geotechnical study. I would like to
6 know where that is, or I would like to be able to read
7 that, because if the slopes are highly unstable and some
8 of the projects, like Washington Curve, might create
9 increased soil erosion over the next decades, it seems
10 like that ought to be addressed in a geotechnical study.

5-4

11 Another thing I haven't really seen addressed,
12 that I asked for in our comments to start with, is that
13 we are really creating a loop from Richardson Grove to
14 the Collier Tunnel, or you could say the I-5. And that's
15 not -- you know, the increased traffic flow isn't just
16 the 199 project, but it's everything coming from the
17 Bay Area to Eureka, and trucks are going to keep on
18 coming north. And I haven't seen anything at all
19 addressing that issue of the STAA loop that is being
20 created and what kind of forecast for the increased
21 traffic that way. And then -- so, anyway, I would like
22 to see that addressed.

5-5

23 And then, in reading your economic analysis of
24 the draft EIR, I was impressed that, you know, there
25 might be a slight beneficial economic improvement to

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5-5
cont.

1 Del Norte County, but it's not really a major
2 improvement. In fact, I think, over 50 percent of the
3 businesses said that it wouldn't affect them at all, the
4 businesses in Crescent City and Del Norte County.

5-6

5 So, those are issues that I have kind of already
6 raised, and I have read a good part of your Draft EIR and
7 still have some of these same concerns that -- especially
8 the geotechnical study. Maybe I'm wrong, but I haven't
9 found that yet. So, if somebody could point that out to
10 me, I would appreciate it.

11 And I feel like Caltrans has done a pretty good
12 job of taking care not to pollute the river during
13 construction, but, you know, the pristine quality of the
14 Smith River and its corridors, of course, is a huge
15 concern to everybody, I think, here. And so, I just want
16 to point that out, although I think Caltrans is sensitive
17 to that.

5-7

18 And so, thank you. Oh, wait. One more thing.
19 I would like to see the trees on Highway 197 that might
20 be cut -- I would like to see those trees flagged to
21 create a visual for people who are interested in that, to
22 see what trees actually are going to be cut, even though
23 I understand yet there are several choices to be made
24 first. But as soon as that could be done, the sooner
25 people would have a visual what's going to actually

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5-7
cont.

1 happen in the Ruby 1 and Ruby 2 areas.

5-8

2 And then, of course, on the bridge replacement,
3 Middle Fork Bridge, The Narrows Location 3, I would like
4 to see the downstream bridge with an arched bridge for
5 the aesthetic value of that. It would be important.

5-9

6 Oh, another thing I really haven't seen much is,
7 I guess it's -- I'm not sure how you're going to police
8 Highway 199 from the Hiouchi Bridge to Highway 101, where
9 STAA trucks are not allowed. But I'm not sure the
10 drivers are going to really -- you know, how are they
11 going to be aware of that, and how are they going to be
12 kept out of that area where it's just a natural
13 progression of 199? That seems like a flaw in the
14 overall idea of how are you going to direct truckers up
15 197, instead of Hiouchi to 101 up 199?

16 I think that's it.

6-1

17 MS. JOHNSTON: My concern with this is, this is
18 also used as school bus routes, and there's children
19 walking on the road. And how is that going to impact
20 their route to school? And if we are already
21 constructing these areas, are we going to allow --
22 because right now they do not have anywhere to walk,
23 except on the side of the road where there is no walkways
24 or sidewalks or anything. So, when this is being done,
25 are they going to take that into consideration, the

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6-1
cont.

1 children's bus routes and things that are actually
2 fitting in place for people to walk along this road?
3 Because it's not safe at all.

6-2

4 In addition to that, the construction during the
5 time of school isn't a very safe thing to do to the
6 school. I just hope that they have considered that as
7 one of their concerns, the children that have to walk on
8 these routes. It's very unsafe. How we do it right now
9 is walk in between yards. Well, those yards are going to
10 be taken away a little bit. And so, where are these
11 children going to walk now, and how is it going to be
12 safe for them to get to and from their bus stops?

13 And that's about it.

7-1

14 MS. D. RUPERT: The \$480,000 that they have for
15 the one section on 197 I feel should be used to hire at
16 least two more CHP's and install speed limit signs,
17 because there aren't any, to speak of. I mean, there's
18 one 45, one 55, two 55's. And then, just around the real
19 tight corners, they only have, like, 30, and that's where
20 they want to straighten them out.

7-2

21 And I live in the middle of one of them. And
22 from the looks on the map, they're going to take half my
23 front yard. My front yard is only maybe 50 feet,
24 60 feet. If they take half of that, I have already got
25 belly dumpers -- construction trucks -- belly dumpers,

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7-2
cont.

1 dump trucks, doing 50, 60 miles an hour in front of my
2 house. If Caltrans makes this road wider, they're going
3 to do 60 or 70, kill off more of my pets for me.

7-3

4 I object to the road being widened. I believe
5 that people live in Crescent City because they like the
6 remoteness, and the road hitting here is like hitting
7 through your mother's birth canal and you're popped out
8 at the very end to God's backyard. And I want to leave
9 it as God's backyard, not as Eureka or Santa Rosa or
10 San Francisco. Thank you.

8-1

11 MS. KASBOHM: I would like to state that I am a
12 resident of Gasquet, California. I'm a homeowner and a
13 taxpayer for 30 years there. And my main concern with
14 the project is the potential for a hazardous material
15 spill into the Smith River. The document, the
16 environmental document, establishes that the STAA trucks
17 can carry a larger amount of lightweight hazardous
18 material, and there will be an increase of a minimum of
19 17 trucks per day, which will increase the potential for
20 transporting hazardous materials through the Smith River
21 canyon.

22 It's -- several years ago, the Gasquet Water
23 District had to shut down its intake of water while the
24 river was contaminated by a spill from a big rig.
25 Fortunately, the water was shut down, the intake valve

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8-1
cont.

1 was shut before our local water was contaminated.

2 I have no doubt that this project will go
3 through in some shape or form. It's been in the works
4 for many, many years. I would request that funds be made
5 available to the Gasquet Volunteer Fire Department, the
6 Hiouchi Volunteer Fire Department, Fort Dick Fire
7 Department, and stipulated to be used for environmental
8 disaster cleanup when that river is polluted.

9 This is a multi-million-dollar project, and it
10 seems that funds should be set aside to mitigate the
11 impact of environmental destruction when a hazardous
12 spill goes into the river. It's not a matter of if; it's
13 a matter of when. It has happened several times in the
14 last ten years. It would be nice to see our
15 Smith River corridor ready to be proactive, and we have
16 the recent Gulf oil spill to reflect on.

17 So, again, I would request that contingencies be
18 put in to make us prepared for whatever disaster might
19 happen to the environment of our river. Okay. Thanks.

9-1

20 MR. SULLIVAN: I'm Michael Sullivan. I'm with
21 the Del Norte County Board of Supervisors. We, as a
22 community, feel this is essential for us to grow our
23 economy to at least compete and getting STAA access on
24 these roads, and it will improve the safety of it. This
25 is essential to Del Norte County and the health of the

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9-1
cont.

1 community. It's one of the main -- five main projects in
2 our county to just give us -- allow us to compete. And
3 so, transportation is one, broadbrand, wastewater
4 treatment plant, the airport, and Highway 199. And
5 without -- even people that would oppose the projects
6 would still agree that making -- improving these spots
7 that we have talked about and making a safer highway is
8 essential.

9 So, it's one of the main projects, and it's
10 right through my District. So, I think it's essential,
11 and without it we're going to be put backwards, so -- and
12 it should have been done ten years ago.

13 (Mike Halverson introduces himself as the
14 facilitator and then welcomes Kim Hayler. Kim Hayler
15 introduces herself, thanks participants for coming,
16 states comment responses will be in the final
17 environmental document; comments are due by August 23;
18 explains how to submit comments [e-mail, mail, may be
19 left tonight in writing or with court reporter], then
20 introduces Caltrans staff, consultants, and
21 Tamera Leighton.)

22
23 PUBLIC COMMENT SESSION

24
25 MR. HALVERSON: All right. Thank you very much.

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1 Okay. Well, let me ask a couple of questions here.
2 First of all, thank you for coming, and I would like to
3 ask you, how many of you have had a chance to meet
4 Sheryl, the court reporter, and give her any testimony or
5 statement? Can you raise your hand for me? A few of
6 you? Okay. Great. And then she'll be available at
7 7:00 o'clock.

8 I would like to explain a few of the ground
9 rules here. Since she is going to be recording
10 everything we say now, I want to ask you, if you would
11 have a comment, when you make it, that I want you to
12 start by giving us your name, speak it loudly and
13 clearly. She'll nod if she got it. Watch her. And
14 then, if she needs you to spell it, she'll ask you to.
15 If it's Smith or something, she'll probably figure that
16 one out. But, anyway, so I want you to speak slowly,
17 distinctly, and clearly, so that she will be able to
18 hear.

19 I have two people here that are going to be
20 helping with the microphones, kind of like the
21 Oprah Winfrey Show, and so, they will shuttle around and
22 come around and talk to each one or allow you to make
23 your comments.

24 The purpose of this portion of the meeting is
25 for you to make any kind of open statement you would like

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1 to make in front of your community. And in order to help
2 us out with that, I would ask, how many of you are
3 planning on making a statement in front of your neighbors
4 tonight? Raise your hand. Okay. A few of you. And
5 let's see. We have one here. Raise your hand high.
6 Let's get a look at it there.

7 So, in order to try to do this in a reasonable
8 fashion, let me try to -- we have until, like,
9 7:00 o'clock, and that is the schedule for this portion.
10 At 7:00, we will pick back up with private statements
11 over here. Is that a good word, "private"? You know,
12 it's not confidential, obviously. It's going into the
13 record, but you get the drift, in case you're shy like I
14 am. You can go ahead and see her.

15 And then, also, let's see. The schedule of this
16 also says that we have to be out of here by 8:00 o'clock.
17 So, by 7:30, the Caltrans staff will start taking down
18 all of these easels and display cards and everything like
19 that. And feel free to stand and chat with them as they
20 move out, but by 8:00 o'clock the deal is that the hall
21 is returned to its original condition, which will involve
22 some furniture moving and some other things. And we will
23 be out the door by 8:00, and the lights will be off. So,
24 that's the plan for tonight.

25 This first portion of the meeting went very well

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1 so far. There are cookies up here. At 7:00 o'clock, I
2 guess you can come back up and get some. I've been
3 eating them, so they're pretty good. And let's see what
4 else we have here.

5 In terms of the ground rules, the other -- I
6 guess, everybody has been to meetings before. Anybody
7 never been to a meeting? So, everybody knows what you're
8 supposed to do at meetings. So, the ground rules I'm
9 going to ask you to hold to here are, the main thing,
10 really, that's important is, because we have a court
11 reporter and it's our effort to try to get everything
12 down in the record, we want to ask you to have one
13 conversation at a time. Just make sure that we have only
14 one person speaking at a time so that we can get it for
15 the record.

16 Other than that, pretty much do the things
17 you're supposed to do and don't do the things you're not
18 supposed to do, and it should work out pretty well. And
19 you probably can all figure that out as we go along.

20 So, in order to try to work this out so that
21 everybody has a chance to participate, that's enough from
22 me. Does anybody have any questions for me before we go
23 any further? Okay.

24 My background is behavioral science. I'm not an
25 engineer. I'm not from this community. I did spend the

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1 day looking around. I went into the museum today. That
2 was very interesting. And it's my pleasure to be here to
3 serve your community and the Department of
4 Transportation.

5 In order to help you out, I have my friend, the
6 stopwatch, and I want to ask you -- we have, it looks
7 like, about a half a dozen people who wanted to talk. I
8 would like to ask that what we want you to do is make a
9 statement, and I'm thinking that maybe I can help you by
10 asking that if you have questions that need followup,
11 that you can hook up with the Caltrans staff at the
12 7:00 o'clock portion again.

13 But other than that, I would like to ask you to
14 make your statement to the microphone. We'll get it down
15 over here. And how much time do you want me to give each
16 one of you? We have until 7:00. That's 50 minutes. If
17 it was ten minutes apiece, that would only be five
18 people. Right? About -- I'm going to suggest -- I don't
19 know -- is five minutes an okay place to start with the
20 statements? Is that all right?

21 MEMBER OF THE PUBLIC: Sure.

22 MR. HALVERSON: Everybody can live with that?

23 MEMBER OF THE PUBLIC: Sure.

24 MR. HALVERSON: Okay. Good enough. And I'll
25 use Mr. Stopwatch and remind you when your time is up.

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1 And, of course, we won't give you the hook, but, you
2 know, remember, if you do go over, you'll be taking time
3 from your neighbors. Is that all right?

4 So, okay. Well, with that, I'm going to ask my
5 microphone crew, we're going to take the front rows here,
6 and I arbitrarily broke you up. There's ten rows. But,
7 perhaps, however you guys want to work it out, you want
8 to take three and three or something? Okay. Well, from
9 the front first three rows, somebody raise your hand who
10 would like to make the first statement, and I'm going to
11 ask Kim to come hold the microphone.

12 So, who would like to go first? Are we shy? We
13 have one over here. Like an art auction. And, remember,
14 start with your name.

10-1 | 15 MR. BRUCE: My name is Donald Bruce. I'm a
16 resident of Gasquet, California. And I support the
17 no-build alternative on this plan. And the reasons is, I
18 don't feel that 26 and a half million dollars justifies
19 the small economic gain that could possibly happen from
20 this. I don't see any evidence that it would improve the
21 economics of the county, all except maybe for a few
22 businesses, and it might even hurt it in the long run
23 through tourism and the effects it would have on the
24 road.

10-2 | 25 I think, even with these improvements, I don't

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10-2
cont.

1 believe that 199 is conducive in having these monster
2 trucks coming through here. I think it's going to create
3 a lot of problems. Even though you make it fairly legal,
4 you're going to have a lot of time when these trucks are
5 going to be over-tracking, and it could cause some
6 serious problems.

7 I don't know. I had a few other thoughts, but I
8 can't think of them.

9 MR. HALVERSON: Well, I'll tell you what, since
10 you're the first guy, if you want to go ahead and sit,
11 and, like, you come back up again, if you want, because I
12 know this is a nervous -- public speaking --

10-3

13 MR. BRUCE: I was going to say, to me, if you're
14 going to invest this type of money, why not find an
15 alternative route? I know people have told me there is a
16 better route that could be done somewhere in the
17 mountains over through the Rowdy Creek, over in that
18 area. And then you can have a -- heck, you could build a
19 freeway, and these trucks could fly over and get back and
20 forth a lot faster. It seems like a lot of money to
21 invest in something that is -- still really isn't going
22 to be fixed, so to speak.

10-4

23 And, of course, another issue I am afraid of, I
24 have reviewed a ten-year California Highway Patrol
25 report, and the main cause of accidents on 199 is

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10-4
cont.

1 speeding. The second main cause of accidents is
2 over-tracking into the other lane. It seems like
3 having -- widening these corners just might exacerbate
4 that problem. Personally, I would like to see more law
5 enforcement on the road and money spent in that
6 direction.

7 Thank you for listening.

8 MR. HALVERSON: Thank you very much for your
9 statement. Thank you. Go ahead, give him a round of
10 applause.

11 What I want to do before we go ahead, just to
12 coach all of you, remember, speak into the microphone and
13 speak slowly, so that our court reporter can get it.

14 Sheryl, how did we do on our first one?

15 THE REPORTER: Good.

16 MR. HALVERSON: Did you get it?

17 THE REPORTER: A little hard to hear, a little
18 quiet, but -- it could be louder.

19 MR. HALVERSON: A little hard to hear, a little
20 quiet. Okay. So, don't be afraid of the microphone. It
21 helps everybody.

22 And so, we're going to see if we can pick
23 somebody from the back three right now. There's one
24 right there. Yes, the gentleman in the -- okay.

11-1

25 MR. REICHLIN: Yes, my name is Dwayne Reichlin,

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11-1
cont.

1 and I'm the president of Hambro Forest Products and
2 Snoozie Shavings, Inc. And we are the evil truckers that
3 run up and down the 199 highway. We have been in
4 business for some 40-some years.

5 And what I would add is that one of the reasons
6 that we do have issues on the roadways are because we
7 have not spent the money on those roadways over the years
8 to make the areas safer. We have been after folks for a
9 long time to straighten out curves and do different
10 things to try to make this area safer for trucks.

11-2

11 Regardless of whether you have a 70-foot truck
12 or a 65-foot truck, the highways needs to be safer, not
13 only for truckers, but they also need to be safer for the
14 tourist population that I have been hearing for the last
15 45 years is going to solve our economic problems. That
16 hasn't happened. And we will never have economic
17 development in Del Norte County, Humboldt County, or
18 Curry County, for a fact, if we don't do something with
19 what I call our highway or our driveway to the rest of
20 the world, which is Highway 199.

11-3

21 Our drivers probably drive somewhere in the
22 neighborhood of 4 to 5 million miles a year, and we have
23 very few incidents on Highway 199. We have drivers that
24 drive that road every day at least twice a day. We need
25 to make that road a lot safer, not only for trucks but

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11-3
cont.

1 also for the -- for the passenger cars, for people that
2 need to go to the hospitals, and some of the other places
3 that they need to get out of Del Norte County to go to.

4 Thank you.

5 MR. HALVERSON: Thank you very much.

6 MR. REICHLIN: Oh, wait a minute. Can I add --

7 MR. HALVERSON: Yes, sir.

8 MR. REICHLIN: Can I read one thing real quick?

9 MR. HALVERSON: Feel free.

11-4

10 MR. REICHLIN: Let me get my glasses on so I can
11 see. This has to do with something I downloaded today
12 about the State of California and the state that it's in.

13 MR. HALVERSON: Remember to speak slowly, now.
14 Go ahead.

15 MR. REICHLIN: California's manufacturing base
16 has eroded by 34 percent since 2001, a loss of over
17 630,000 manufacturing jobs that paid, on an average,
18 \$25,000 a year more than service jobs. These losses have
19 cost California nearly 75 billion a year in wages and
20 5 billion annually in tax revenue, money that once helped
21 pay for schools, infrastructure, and other services.
22 California aerospace and auto manufacturing has
23 practically disappeared, and, as a result, the State now
24 has one of the highest unemployment rates in the U.S. and
25 is currently at 12 and a half percent.

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1 Thank you.

2 MR. HALVERSON: Thank you very much. Okay. You
3 can all applaud at the end. How's that?

4 And we have the guy back there in the red and
5 white T-shirt has got a statement he wants to make, and
6 the lady up here in the black sweater has raised her
7 hand, too. So, let's go ahead with that back there.

8 Remember, start with your name.

12-1 | 9 MR. OLSON: Curt Olson. I live at Ruby 2, and
10 I'm concerned about that area not being considered a
11 residential area. There are residences there. I'm
12 concerned that -- I think, improving the road needs to be
13 done. I'm just worried that people going by my house at
14 65 miles an hour, when I'm trying to enter the roadway,
15 is not a fair situation.

12-2 | 16 I'm with Rumiano Cheese. We send three trucks a
17 week up and down that road, and we we need it. We use
18 that corridor.

12-3 | 19 I'm also concerned that the plan has nothing in
20 it to take care of the water runoff, the streams that are
21 there, that that has not been addressed. And that's
22 start of your plan. No one has come and talked to us,
23 really, about that.

12-4 | 24 And so, I just wanted to -- I think that they
25 could widen the road. I think that's fair. The truck

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12-4
cont.

1 drivers are great operators. To me, we just need to slow
2 people down in front of our house.

3 When you go by, one thing I suggest you do is go
4 over to the Highway Patrol and look at their wall, and
5 you're going to see Ruby 2 there has 32 pictures of
6 accidents in the last five years. And you guys are not
7 going to slow that down. That tree is not leaving. The
8 old growth redwood tree is going to stay, and that's a
9 visual problem and it seems to cause problems.

10 So, I want to see it -- I'm not seeing you
11 address it, as far as residences. You could see our
12 houses are there, and you come and you talk to us; you
13 ask us to come. And I'm at Ruby 2, and you can look all
14 along there. And everyone that drives up there says,
15 "Boy, these are nice people that lived here," except that
16 we have to go from zero to 65 in front of our house.
17 It's not very good. And so, I would like to see that
18 added to the list when you test these roads.

19 Thank you very much.

20 MR. HALVERSON: Thank you.

21 Sheryl, how are we doing? Good?

22 Hold your applause until the end. I know. I
23 know. We have over here a lady that raised her hand over
24 here. Okay.

13-1

25 MS. ZOTTOLA: Okay. Thank you. Gina Zottola,

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13-1
cont.

1 and I'm the executive director of the
2 Crescent City-Del Norte County Chamber of Commerce. And
3 the Chamber of Commerce fully supports this project, and
4 I just want to get that on the record and make sure you
5 have my comment. Thank you.

6 MR. HALVERSON: Thank you very much.

7 Over here, so we can catch up to right here.
8 Thank you.

14-1

9 MS. JOHNSTON: Hi. My name is Meagan Johnston,
10 and I just recently moved here, actually, from Boise,
11 Idaho, and I also live off of 197 and enter that area
12 with trucks flying at 75, 65 miles an hour all the time.

13 I just think that, with this plan, that
14 something that people really need to think about is that
15 children also walk on these roads. And this is actually
16 an area for bus stops. And we really need to consider
17 that, you know. You guys say that tourism is the major
18 industry here. And in Idaho, we have a very bike safety
19 area.

20 And there's no sidewalks. There's no safety on
21 this road, whatsoever. Right now, our children have to
22 go from yard to yard to yard to get to bus stops. So, if
23 we're going to be making this even larger trucks being on
24 this road, which I do understand that there is a need to
25 get materials where they need to go, we need to think

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14-1
cont.

1 about the safety issues of children, the residents that
2 live on this road. And that's what I wanted to say.

3 MR. HALVERSON: Thank you very much.

4 Hands, please. Right here. Thank you.

5 MS. D. RUPERT: My name is DeAnn Rupert. I,
6 too, live on 197.

7 MR. HALVERSON: DeAnn, is that right?

8 MS. D. RUPERT: DeAnn.

9 MR. HALVERSON: She'll hold the microphone. You
10 don't have to worry. There you go.

15-1

11 MS. D. RUPERT: I, too, live on 197. And I have
12 looked at the maps there. And the tail end of one of
13 their projects looks like it's going to end up in my
14 front yard, so I'm very concerned. And a lot of the
15 people have already said issues that I, too, am concerned
16 about. I have children. I have pets. My bus stop is a
17 mile away. And either way to the bus stop, she has to go
18 through tight curves. So, she doesn't walk, you know.
19 She's in high school. She doesn't walk, because....

15-2

20 \$488,000, \$480,000 for Ruby 1 to make that a
21 wider way, you know, and that does need to be improved.
22 There's no doubt about that. But I think, if we took
23 some of that \$480,000 and put up speed signs, speed limit
24 signs --there's three speed limit signs on 197, three,
25 and then there's some advisory speed limit signs. If we

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15-2
cont.

1 put up more speed limit signs and hired a couple more
2 cops with that money, you could leave 197 alone.

15-3

3 You know, and the people that live here, we know
4 what it's like, that it takes two or three weeks to get
5 our stuff from Home Depot, if you want to shop at
6 Home Depot, you know, but we live here because of the
7 remoteness, because of the pristine. Where else is there
8 redwoods? Where else do we have the Smith River? And
9 where else can it get mucked up but here, doing this?

10 I vote no. I don't want it to happen, you know.
11 We like it remote. That's why we're here. You all go
12 home.

13 MR. HALVERSON: Thank you very much. Thank you.
14 Okay. Hold your applause. I appreciate that.

15 Who else? Who else has a statement they would
16 like to make in front of the rest of the community?
17 Anyone else? Yes, ma'am. Right here.

16-1

18 MS. BRUCE: My name is Dori Bruce, and I live in
19 Gasquet. I have lived there for 17 years. And we have
20 property along 199. I have read a portion of the EIR
21 that I was able to pull up on the computer. I haven't
22 seen the whole document. It wasn't in the library, as it
23 was supposed to be. But I appreciate seeing the
24 magnitude, the size of the study. A lot of work went
25 into that.

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16-2

1 One of the things that I did notice on the
2 computer, when we pulled it up, the -- there was -- it
3 appeared that the amount of economic impact and growth to
4 Del Norte County, by your own admissions in your report,
5 is minimal, folks, minimal.

6 So, we are having this very extensive project,
7 costing 26 million-plus dollars, covering years of delays
8 and construction and all sorts of impediments to people
9 using 199 and traversing between the Rogue Valley and our
10 county and, when it appears 37 businesses were surveyed
11 in -- just recently, 2010 -- I forget the consulting
12 company that did that, but 20 percent of the 37
13 businesses surveyed, which is around seven of 20 -- 37,
14 said there would be some -- possibly some gain to their
15 business and they might possibly hire some more people.

16 I mean, folks, that's -- that's not like a major
17 boom to Crescent City or Del Norte County, at a stake of
18 possibly greatly damaging our beautiful tourist draw
19 along a scenic byway into our county, coming head to head
20 with monster trucks, creating a much more dangerous
21 situation with a few, seven, areas that you have
22 identified on 199 and 197 to do some modifications to.

23 So, I am opposed to this project, also. Thank
24 you.

25 MR. HALVERSON: Thank you very much. And back

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1 there in the corner.

17-1

2 MS. NOBLE: Hi, I'm a drop-in person. I haven't
3 read about this plan. My name is Katherine Noble. And
4 I'm here because I was born in a bedroom community of
5 Los Gatos, and that bedroom community had a highway built
6 right through the heart of it. So, now 280, that's how
7 people from San Jose get to San Francisco. It's six or
8 eight or I don't know how many lanes of ugliness, and the
9 community that was my home is gone. And there is a big,
10 huge highway, so that, ultimately, people who have lived
11 in San Jose can then go to the redwoods and create
12 something, you know, where they've got a little part of
13 the bliss that I moved moved up here to find, because
14 they're all down there.

17-2

15 And I really don't see that road repairs we
16 really, really need, like what was done south of here, on
17 101, it's a good thing, but how many people here went to
18 work? Maybe ten truckers? Not a lot of people here,
19 because it was all jobbed out from other places. And so,
20 the work -- if we're going to expect people here to do
21 this work, I don't think it's going to happen. It's
22 going to cost a small fortune.

17-3

23 The tourists can come to them, and maybe
24 sidewalks are a good thing and maybe there can be some
25 improvement. But, you know, the golden four-lane needs

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17-3
cont.

1 to be in the heart of the valley, where everybody wants
2 to go. And I just think this is not the place to make
3 our little, quiet tourist area into Disneyland.
4 Thank you.
5 MR. HALVERSON: Thank you.
6 Anyone else? Would you like to make a
7 statement, sir? Let us get a microphone up here, a
8 microphone right here. She'll hold it for you, sir.
9 She'll hold it.
10 MR. ZUEHLKE: My big problem is --
11 MR. HALVERSON: Okay. Start with your name.
12 MR. ZUEHLKE: Oh. Elmer Zuehlke. You probably
13 all have seen me here before.
14 MR. HALVERSON: Spell your name for the record.
15 MR. ZUEHLKE: She has it.
16 MR. HALVERSON: You have it? Okay. Thank you.
17 Okay. Go ahead. We'll start your clock over.
18 Go ahead.
19 MR. ZUEHLKE: I'm an old codger, 92 years old,
20 and I'm having a terrible hearing problem. So, I will
21 try not to be redundant.
22 But I have a plan, which, according to a lot of
23 people who said, "You're very radical." But, you see, I
24 live in Los Angeles for six months of the year, and I
25 have a beautiful house here on 197, right at the key spot

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1 of the interchange. And I fought with Caltrans in '64,
2 and I think I'm probably responsible for the road getting
3 lousy right at that point, because I have a beautiful set
4 of trees. My double tree next to the road is over
5 50 feet in diameter. I don't think the park has anything
6 any better. And in those days, Caltrans wanted to cut
7 them down. And my entire family said, "Absolutely not."
8 We wouldn't let people get on our property to make a
9 measurement to cut them down.

10 Now, another bad thing about Caltrans is that
11 the road condition there is so bad that I had to improve
12 my driveway to make a better slope. And would you
13 believe what I learned -- later learned was my property,
14 Caltrans charged me for making that slight road change.
15 That's Caltrans.

18-1 16 Now, what I'm proposing so radical, but since
17 I'm an engineer I'm used to seeing into the future, I'm
18 saying, let's leave 199 through the park -- or let's
19 change the road through the park. Let's leave 197 alone
20 and put a four-lane road up the side of the mountain in
21 parallel with 199 through the park.

22 Because in the city, Los Angeles, we recognize
23 that nothing less than a four-lane road on a mountain is
24 safe. If you have a truck losing its brakes here, you
25 have no way of getting around them. You've got a rock

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18-1
cont.

1 and the river. And what are you going to do if they lose
2 their brakes? And that is a common situation. So, in
3 Los Angeles, we have nothing less on a hill but four
4 lanes. And of course, I live in the city, so we have
5 five and six and seven, and they're adding lanes all the
6 time.

18-2

7 Trucks -- oh, on I-5, when I drive -- and now
8 I'm flying, because I can't afford to take a chance on
9 the road. On I-5, approaching Los Angeles, trucks are a
10 terrible menace. They're even using more than the three
11 lanes allocated. And look at the history of accidents.
12 We have a tremendous number of accidents on our 197/199
13 complex. So, our goal should be, ultimately, four lanes
14 all the way to I-5 and four lanes through the park.

18-3

15 And, by the way, a lot of people think you can't
16 cut a redwood tree. Well, think of it a little
17 differently. You can't replace a redwood tree. So,
18 therefore, maturity is the important thing. I have loads
19 of spindly trees, maybe a foot in diameter, and I'll cut
20 them at a moment's notice. But if you want to come over
21 with a saw and try to cut one of my mature trees, you'll
22 see a different action.

23 I've got a million things to say, but I just
24 can't remember all of them. Safety, we all think of
25 safety. But right now everything that Caltrans has

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1 done -- and maybe I should tell you about the bad part
2 about 199 near 101. You know, you --

3 MR. HALVERSON: You go ahead and make a kind of
4 a summary statement. Go ahead.

5 MR. ZUEHLKE: Pardon?

6 MR. HALVERSON: Kind of make a summary statement
7 there. We're getting to the edge of the five minutes.
8 Go ahead.

18-4 | 9 MR. ZUEHLKE: Well, briefly, you have no space
10 between the edge of the road, the white line. It slopes
11 directly to the river about 45 degrees. Can you imagine
12 what will happen if you deviate from the road that much?
13 You'll be dead.

14 Thank you.

15 MR. HALVERSON: Thank you very much, sir. All
16 right. We have one back here? Thank you very much.
17 Thank you.

19-1 | 18 MR. GILLESPIE: Hi. My name is Don Gillespie,
19 and I'm speaking for myself. I just wanted to point out,
20 I heard earlier a comment about somebody representing
21 "the evil truckers of Del Norte County." And I don't
22 think that's the issue at all. I think that our local
23 truck drivers are very -- and I think the people here
24 have some very genuine concerns that shouldn't be just
25 put off.

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19-1

1 Our local truck drivers, I think, know this
2 highway, they know Highway 101, and they do a very good
3 job of driving it. But with the STAA trucks, we're
4 really eliminating the stop-off point in either
5 Grants Pass or Medford. I'm not sure where. And so, we
6 are inviting truck drivers who are used to driving the
7 freeways, who get paid by the miles they drive, and then
8 asking them to come and drive Highway 199.

9 And even with the improvements you're making, I
10 think that we are creating a safety situation. We're
11 making safety situations worse by inviting unskilled
12 drivers, driving these big rigs over a highway that
13 they're not familiar with. And some of them will become
14 familiar with it. It's not -- you know, they will get
15 better at it.

16 But in the meantime, I think that your report
17 says by 2030 there will be 92 more trucks a day driving
18 199, only 17, like, in 2014. But that's something to
19 think about. As our population increases, we're trying
20 to -- we're bringing more trucks, bigger trucks, and I
21 think that's going to create a safety issue that is of a
22 concern.

19-2

23 Your report does state -- that's the one -- it's
24 difficult to read your Draft EIR, when it's just on a
25 computer disk, because it's hard to get a feeling for the

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19-2
cont.

1 whole thing. But your economic state says that there
2 will be nominal economic benefit to Del Norte County.
3 And it is a benefit. It is an economic benefit. I can't
4 deny that. But it's nominal. So, what's -- as far as
5 safety issues are concerned, what is the price you're
6 going to be paying?

19-3

7 I have a concern that -- you know, I made a
8 suggestion that guardrails be established around
9 Milepost 6.1 and 6.2 on Highway 197. There's a stretch
10 there of about a quarter of a mile, maybe closer to half
11 a mile, where you have a steep bluff and then a drop-off
12 into the river, and there's not a single guardrail. And
13 I was told by Kevin Church that there has been no
14 accidents reported there at all, so those guardrails will
15 not be part of the project. And, yet, when you start
16 adding larger trucks that might sweep slightly wider, you
17 know, it's just accidents waiting to happen, and I'm
18 sorry that that can't be addressed in this process.

19 And so, thank you for hosting this open house
20 and for all the work you have done for the Draft EIR.

21 MR. HALVERSON: Thank you very much.

22 Anyone else would like to make a statement?

23 Yes, sir.

24 MR. REICHLIN: I had just a quick rebuttal.

25 MR. HALVERSON: Again, start with your name.

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1 MR. REICHLIN: I just, you know -- oh,
2 Dwayne Reichlin with Snoozie Shavings.

3 MR. HALVERSON: And we're looking for
4 statements, not rebuttals.

20-1

5 MR. REICHLIN: We are -- there's absolutely no
6 question that the highway needs to be taken care of. And
7 it is a trucking issue. It's also an automobile issue,
8 because the safer you make the highway, the safer it's
9 going to be for everybody on it that has to get in and
10 out of here.

20-2

11 So, we're making a lot of assumptions based on
12 what we don't know what the road is going to look like if
13 we can get this infrastructure taken care of. We need to
14 get this infrastructure taken care of. We're not going
15 to -- you're not going to stop change. Change is going
16 to take place. What we need to do is figure out how to
17 make change in a reasonable manner and try to employ some
18 of these young people in this community that don't have
19 anything but welfare to turn to or leave this area.

20 I've been involved in economic development in
21 this country -- in this county for about the last
22 40 years, and I always the hear, "We're going to try to
23 figure out how to generate more jobs in
24 Del Norte County." And I'm not -- I'm in the wood
25 products business, but I'm not saying that we have to be

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20-2
cont.

1 in the wood products business.

2 But what we have to do is, we have to improve
3 the infrastructure in this community so that we can fully
4 develop what the potential is in this community. If it's
5 tourism, that's fine. If it's wood products, that's
6 fine, also, because I'm a firm believer that not
7 everything and just one thing in this community, like
8 tourism or wood products or farming, is going to solve
9 the problems that we have from an economic standpoint.

10 But all of these things, a small percentage of
11 all of these things, over a long term, are going to offer
12 a lot more people a lot more opportunity. And maybe we
13 won't be chasing our kids out of here because we belong
14 to the crowd of, "I got mine and to hell with everybody
15 else." And I've been hearing that for the last 25 or
16 30 years around here.

17 So, we are at a crossroads right now. We're
18 going to have to figure out what's going to happen. I
19 just read an article about the State of California. If
20 you don't think the State and the federal government are
21 in trouble, you know, ask Mike Sullivan here from the
22 County what he's trying to do. And unless we can
23 generate some jobs in this community and every other
24 community in this country, this country is in for a hell
25 of a ride for the next five to ten years.

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1 Thank you.

2 MR. HALVERSON: Thank you very much. And what I
3 would like to ask you now is to remember we're not going
4 to open this into an open forum for debate. We're
5 looking for comment. So, if you have a comment that you
6 would like to offer and someone hasn't already made it,
7 feel free.

8 She'll hold the microphone for you, please.

21-1

9 MS. J. RUPERT: My name is Jean Rupert, J-e-a-n.
10 And I have heard a lot of talk about the safety factor of
11 this. And I also live in Gasquet, and I wasn't going to
12 make a comment, because I agree with a little bit of what
13 I heard everybody say.

14 I have heard a lot about the safety, you know,
15 and the report, like you said, 17 -- 17 trucks, with the
16 increase of 17 trucks by 2014. I think, the larger
17 trucks, you know, there's bound to be some shipping costs
18 reduction for businesses by being able to bring in bigger
19 trucks. Obviously, their prices are going to go down. I
20 don't think the prices are going to go down to the
21 consumer. I don't think there's going to be that much of
22 an economic improvement to waste 27 million on improving
23 these stretches that you're talking about.

21-2

24 My thing with the safety factor is, you know,
25 like, we had the spill a couple of years ago with

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21-2
cont.

1 Mike Renner. He did a fantastic job of cleaning it up.
2 But what I haven't heard, you know, this money being
3 spent to do this, there's no money to increase our local
4 search and rescue -- or search and rescue -- our local
5 emergency responders, fire departments and whatnot. What
6 kind of safety features are going to be put into place
7 with these new trucks, you know? And they're talking
8 about lightweight hazardous materials and heavy hazardous
9 materials and this and that.

10 You know, we've had our water system shut down
11 for days and days at a time from spills before. And so,
12 you know, my concern would be what safety features are
13 going to be -- you know, new safety features are going to
14 come into play with these larger trucks?

21-3

15 And I agree with Bruce that we definitely need
16 more law enforcement. People don't respond to signs, and
17 it is only so much, so more law enforcement would be
18 handy.

21-4

19 And I'm one of these people that left this
20 county because there wasn't a lot of opportunity as a
21 young person, and I came back. And every young person
22 that leaves this county has -- can come back, you know.
23 And saying they don't come back because it's a small
24 town, the majority of people I know who didn't come back
25 and don't want to live here is because of the size of the

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21-4
cont.

1 town. Okay? They want to be in the city. Okay? It has
2 nothing to do with jobs -- well, it has something to do
3 with jobs, I'm sure, but the majority of them want to be
4 in the city. If they wanted to come back, they could.

5 Those of us who do come back, come back because
6 of the area. This is a wild and scenic river, the only
7 wild and scenic river in California. And we're going to
8 do what to it?

21-5

9 You ought to be more concerned with the
10 environmental impacts of spills and damages and what kind
11 of features are going to be put into place to help
12 protect that, talk about retaining walls, you know,
13 different stuff. What about spills? So, I'm not in
14 favor of this.

15 MR. HALVERSON: Thank you. Thank you very much
16 for your comment.

17 And how are we doing over here? Good? All
18 right.

19 Thank you very much. Who is next? Over here?
20 Okay. And, sir, start with your name for the record.

22-1

21 MR. SMALLER: I'm Gary Smaller. I live on
22 North Bank Road. And I am in a funny position here. I
23 find myself agreeing with everything that everybody says.

24 MR. HALVERSON: Don't talk too fast, now. We've
25 got a court reporter here.

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22-1
cont.

1 MR. SMALLER: I believe in the environmental
2 concerns. I feel the same thing. But I also believe we
3 need economic development. There's critical need for a
4 reasonable truck route. I just have a problem with
5 running the truck route down the North Bank Road. I
6 think that's a mistake.

7 I guess I would ask Caltrans, isn't there a
8 better route? And I'm imagining a route that goes up
9 Rowdy Creek and over the mountains and comes out at the
10 Oregon border. The historical question is, why can't we
11 consider that? It's a reasonable answer that makes
12 everybody happy. I understand it's expensive, but it
13 will never happen if we never get started.

14 That's it.

15 MR. HALVERSON: Thank you. Thank you.

16 Anyone else would like to make a statement?
17 Yes. Anyone else? Going once. I know this is an
18 important issue to your community, and I appreciate with
19 a passion the way you feel for the issue.

20 I want to encourage you to remember that you can
21 file comments with e-mail. Look on the back of the
22 brochure, on the bottom, and there's information on the
23 Web site for the various things that you can access. You
24 can get copies of the environmental document, which
25 someone can hold it up. I don't know. It's about this

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1 thick (indicating). You probably don't want to print it,
2 unless you're really interested. There's a copy in the
3 back of the room held by a strong guy. Yeah, weak guys
4 like me can't hardly pick it up. But it's all online.
5 You can download it. You can get copies of it available
6 in the library and also a couple of other locations,
7 including the Caltrans office, if you're ever down there
8 in New York City -- I mean Eureka.

23-1

9 MS. J. RUPERT: Why isn't it here, in our
10 Caltrans office? Why isn't it here?

11 MR. HALVERSON: Oh, it is. In the library?

12 MS. J. RUPERT: In the Caltrans office.

13 MR. HALVERSON: Oh, I'm sorry.

14 MS. J. RUPERT: There isn't any in the library,
15 but why isn't it in our local Caltrans office?

16 MR. HALVERSON: Ah. Could you address that,
17 please?

18 MS. HAYLER: Well, I guess we hadn't thought of
19 that option. It was delivered to -- I apologize that
20 it's not at the library at this moment, it sounds
21 like, and I don't know what happened. I can guarantee it
22 was delivered by our executive staff members, and
23 sometime between when it was delivered and when it was
24 looked for, apparently, today, it was not findable by the
25 library staff.

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1 So, what's going to happen is, Tamera Leighton
2 has offered to deliver a copy tomorrow morning, and so,
3 there will be a copy there. Again, Tamera also has
4 copies and the DVD's at her office, the local
5 Transportation Commission Office here in town.

6 There is a copy at the District Office, which is
7 the standard place that we have a copy. If it's been
8 developed by District 1, the draft environmental document
9 is at our District Office and the public library. But I
10 don't know about -- I'm looking at my senior. I don't
11 know. We can look into it.

12 The honest truth, actually, I know -- I have
13 some family members who have worked out of that office,
14 and I'm not sure that it's always staffed. There might
15 not always be someone there, because most of the time
16 they're actually in the field a lot of the time.
17 Sometimes there is an office engineer present, but not
18 always. So, it probably wouldn't be the best convenient
19 place for the public to have a copy there. I would say
20 the library would be the best.

21 And so, probably, what I would ask of any of
22 you, if you do go to the library and a copy is not there
23 again, please definitely e-mail me or call me, or call,
24 even, the front office and let someone know that the copy
25 isn't there anymore, and we can have another copy

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1 delivered. But that's really too bad that that copy is
2 missing.

3 (Discussion off the record.)

4 MR. HALVERSON: Yes? Could we get a microphone
5 over here? Did you want to make a statement?

6 MS. D. RUPERT: Yes.

7 MR. HALVERSON: Okay. Start with your name
8 again. It's for the record.

24-1 | 9 MS. D. RUPERT: DeAnn Rupert, with a capital
10 "A."

11 MR. HALVERSON: Thank you.

12 MS. D. RUPERT: The only thing -- well, what I
13 want to know is, were you guys involved with the new
14 freeway that bypassed Richardson Grove -- no, not
15 Richardson --

16 MEMBER OF THE PUBLIC: Prairie Creek.

17 MS. D. RUPERT: Prairie Creek. Thanks.

18 Were you guys involved in that new freeway,
19 four-lane, up over the mountain that bypassed
20 Prairie Creek?

21 MR. HALVERSON: Well, we're trying to get the
22 comments on the environmental document tonight. That's a
23 fair question, to which you can get an answer.

24 MS. D. RUPERT: I'm getting to that. I'm
25 getting to that.

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Public Meeting Transcript

24-1
cont.

1 MR. HALVERSON: Go ahead. Your comment is?

2 MS. D. RUPERT: The comment is, let's do it
3 again, like what the gentleman over there said, from,
4 like, O'Brien to Rowdy Creek, you know. Don't touch the
5 redwoods. Leave the roads as they are. Let people go
6 down there if they want. Same thing with 199 and 197.
7 Build a new mountain -- build a new four-lane up over.
8 Let's do that.

9 MR. HALVERSON: Okay. Thank you very much.
10 Thank you.

11 Yes? Start with your name, please.

25-1

12 MS. JOHNSTON: My name, again, is
13 Meagan Johnston. And I just wanted to say, this place I
14 came to as a child with my grandparents to visit, and it
15 was just a pristine, beautiful place I always wanted to
16 come back to. And as an adult -- I'm now 32 years old --
17 I have brought my children back here to raise my children
18 here. So, if you want to come to this place and you want
19 to work in this place, you can find work and you can find
20 a job. We don't need to make every beautiful area of the
21 redwoods into a Disneyland. So, that's my comment.

22 MR. HALVERSON: Thank you. Thank you very much.

23 Anyone else? We have a couple more minutes for
24 this portion of the meeting. Anyone else would like to
25 make a statement?

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26-1

1 MR. ZUEHLKE: I haven't given you all the
2 information I see about this place. All this discussion
3 involves a small triangle just a few miles long, south of
4 Crescent -- oh, okay. I'm sorry, I'm getting mixed up.
5 There is a triangle that's involved in this and the park.

6 But let me try to get you to think that you're
7 dealing with traffic from I-5 to Crescent City. That's
8 the most important. Oregon is important, too, but not
9 nearly as much as Crescent City. But visualize a
10 straight line from I-5 to Crescent City, high-speed, four
11 lanes, 55 miles an hour. Can you beat that? There's
12 nothing better than that.

13 Now, if you wanted to go to Oregon, you go up
14 101. Who, in their right mind, can ever think, if you
15 want to go north and south, that you're going to take 197
16 east and west? Utterly ridiculous.

17 MR. HALVERSON: Thank you very much.

18 Yes, sir. Right here.

27-1

19 MR. COMPTON: My name is Charlie Compton. I'm
20 the sales manager for Hambro, so I have to deal with all
21 the economic issues associated with selling particle
22 board out of our plant in Crescent City and Arcata. And
23 these trucks will help our business. I'm for the
24 changes.

27-2

25 I'm for it for a number of other reasons,

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27-2
cont.

1 though. There have been a number of young people that
2 have died on our highways because they're not safe. No
3 vehicles were involved, other than drugs, alcohol, and
4 stupidity, and you're not going to change that, anyway.
5 You're going to continue to have those kind of problems.

6 A straight road from Grants Pass to
7 Crescent City, from my perspective, would be absolutely
8 boring. I have driven on roads that are straight.
9 There's many, many accidents on straight roads, whether
10 they're four-lane or whether they're two-lane.

11 My only request, and I agree with a lot of the
12 people in here, safety is a request for me. I have two
13 young children that will be driving on this highway. And
14 the way that you address safety is, you improve the
15 conditions of the roadway. And you have less traffic.
16 That's a just a statistical fact. You have a lot less
17 traffic with less accidents on it.

18 So, my parents have an RV. They will not come
19 over. They don't visit this area anywhere near as much
20 as they used to, because the road is dangerous. They've
21 had several close calls. My wife and I have a 30-foot RV
22 that we take over to Hornbrook, California, and I don't
23 even like pulling it on the highway because of the safety
24 of the roads.

25 So, I see other issues. I see, actually, the

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27-2
cont.

1 road that we have is a beautiful road. I love driving
2 199 and 197 and going over to I-5. But even my driving,
3 it's just -- it's just not safe, and it needs to be
4 improved. That's my feeling. Thank you.

5 MR. HALVERSON: Thank you very much. Anyone
6 else? We have time for a couple more comments here,
7 please. Anyone? Anyone? Anything at all? What I would
8 like to do, then -- you're sure. I'm not being too
9 pushy, am I?

10 Okay. What I would like to remind you about is,
11 public comments this way, public comments by e-mail. I
12 would like to ask for us to try to figure out, the
13 Caltrans staff that's going to meet with the lady about
14 access to the document. And so, what we have are
15 three -- I'm going to turn it over to you in just a
16 second to go ahead and take it from there. I guess, is
17 there anything else anybody wants to say?

18 Okay. Then, what I'm going to do is, I'm going
19 to say thank you very much, as your facilitator. You
20 have been very patient with me, and all of you have been
21 very cooperative. I know this is a very important issue
22 to all of you. I appreciate you working with this little
23 bit of structure that we have provided.

24 So, at this point, I'm going to turn it back
25 over to the Caltrans staff for the next portion of the

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1 meeting. Thank you very much. And give yourselves a
2 round of applause. Come on.

3 MS. HAYLER: Thank you all very much for coming,
4 again, and thank you for everyone who stood up and spoke
5 tonight. We really appreciate receiving your comments,
6 and all of them are really important to us. And we'll
7 get them from the court reporter. And, like I said, your
8 comment will be included in the final environmental
9 document, and our response to that comment will be
10 included in the final environmental document.

11 So, thank you very much again. Please feel free
12 to stay and chat with us until about 7:30. Have some
13 cookies and water. And we would be happy to answer any
14 questions we can for you. So, thank you again.

15 MR. HALVERSON: Cookies, cookies.

16 MS. HAYLER: Thank you.

17 (The public hearing was concluded at 7:00 p.m.)

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STATE OF CALIFORNIA)

) ss.

COUNTY OF HUMBOLDT)

I, SHERYL A. BROWN, a Certified Shorthand Reporter in the State of California, hereby certify that the foregoing proceedings were reported by me and were thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete, and true record of said proceedings.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing proceedings and caption named nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of July, 2010.



SHERYL A. BROWN

CSR No. 3908

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Responses to Public Meeting Commenter 1: Elmer Zuehlke

Response to Comment 1-1

This comment states concern for safety of the residents along SR 197 if the proposed project is constructed, states that safety is currently an issue, and proposes an alternate route to SR 197. Alternate routes were considered but determined to be infeasible, please see Grouped Response # 6. Please see the response to the Environmental Protection Information Center's (EPICs) Comment 8 for a discussion of how the local communities would not be significantly affected by the propose project.

No changes to the Draft EIR/EA are necessary.

Response to Comment 1-2

This comment suggests several alternative routes, including a 4 lane bypass for 197. Please see Grouped Response #6 and #7 for further discussion on alternative routes.

Also, see the revised Chapter 1 of the Final EIR/EA and Grouped Response #1 for a detailed explanation of the purpose and need of the project

No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 2: Daniel Brown

Response to Comment 2-1

This comment does not provide a comment on the Draft EIR/EA. The comment indicates support for the proposed project and suggests it provides ecologic benefits.

No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 3: Don Pass

Response to Comment 3-1

This comment indicates support for the retaining wall at Washington Curve and the box girder design with the retaining wall on the bridge at Patrick Creek Narrows Location 2. Please see the revised Chapter 1 in the Final EIR/EA for a discussion regarding the preferred alternatives and see Grouped Response #3 for a discussion of visual impacts.

No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 4: Dwayne Reichlin (President of Hambro Group)

Response to Comment 4-1

This comment does not provide a comment on the Draft EIR/EA. The comment indicates support for the proposed project.

No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 5: Don Gillespie (representing Friends of Del Norte)

Response to Comment 5-1

This comment states concern about safety with increased truck traffic and truck drivers unfamiliar with US 199. See Grouped Response #8 for an explanation of how the anticipated increase in trucks would affect safety for local communities, and see response to EPIC's Comment 8 for a discussion of how anticipated truck traffic would affect community cohesion.

No changes to the Draft EIR/EA are necessary.

Response to Comment 5-2

This comment states concern for a potential increase in spills of toxic chemicals into the Smith River. See the response to Vern Powers' Comment 1 and the response for John Zuehlke's Comment 6 for a discussion this topic.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 5-3

The commenter requested the geotechnical study for The Narrows and Patrick Creek Narrows locations. The preliminary geotechnical reports prepared for the project are listed on page 2.2-17 of the Draft EIR/EA and are available for public review at the Department's office located at 1656 Union Street in Eureka and at the public library in Crescent City. Please refer to the response to Comment 13 for the Friends of Del Norte for more information regarding the anticipated cut slope conditions at Washington Curve. In general, preliminary geotechnical investigations and studies do not provide information on potential for erosion. Potential erosion is considered by the Design Engineer in coordination with the Landscape Architect and Environmental Engineers that assess stormwater and water quality concerns. The Design Engineers for Washington Curve, The Narrows, and Patrick Creek Narrows do not anticipate a significant increase in soil erosion at the proposed new cut slope areas. This is because some portion of each of the cut slope locations are rock, which do not discharge sediment as a soil slope might. The portions of the cut slope locations that would be soil after construction would be stabilized with an erosion control seed mix with regionally appropriate, native plant species and a bonded fiber matrix (i.e., wood or wood/paper fiber blanket bonded together by a polymer tackifier to help seeds stick to the slope until they can germinate) (see Appendix R, Enhanced Erosion Control Seeding and Revegetation Plan for more information). The Department's projects must comply with the new statewide Construction General Permit that strictly regulates erosion potential and requires Best Management Practices during construction.

Please see the Grouped Response #10 regarding concerns over geologic stability for more information.

No changes to the Draft EIR/EA are necessary.

Response to Comment 5-4

This comment suggests that the DEIR/EA did not address the connection of the project to the Richardson Grove Improvement Project in terms of traffic flow. The Richardson Grove

Improvement Project was considered in the 2030 analysis for future traffic impacts (see DEIR/EA 2.1.4), see the response to Friends of Del Norte Comment 1 for a discussion on this subject.

No changes to the Draft EIR/EA are necessary.

Response to Comment 5-5

This comment states that there will be only be slight economic improvement in Del Norte County as a result of this project. As discussed on pages 4-73 through 4-80 of the Community Impact Assessment prepared for the project, the proposed STAA truck access improvements along the SR 197–US 199 corridor would lower transportation costs by about 15% for an estimated 20% of the trucking firms and about 60% of the producers in the two-county study area, based on a survey of trucking and producer firms. This would represent less than 50% (46%) of the trucking and producer businesses located in the two-county area.

No changes to the Draft EIR/EA are necessary.

Response to Comment 5-6

The comment does not address a specific part of the DEIR/EA or project, and no specific concern is stated other than the topic of the geotechnical study and that the commenter is concerned about the pristine quality of the Smith River and its corridors. The geotechnical reports referenced in Appendix S, List of Technical Studies of the Draft EIR/EA are available for viewing at the Caltrans District 1 Office on 1656 Union Street in Eureka and at the public library in Crescent City. Section 2.2.2 of the DEIR/EA discusses and potential impacts and addresses avoidance, minimization, and mitigation measures, and Section 2.4.7 discusses water quality and stormwater concerns and BMPs during construction. To ensure beneficial uses of the Smith River are protected from the proposed improvements, the Department will implement Best Management Practices (BMPS) at each project location to minimize or avoid degradation of storm water runoff flowing to the Smith River and its tributaries. The Smith River beneficial uses include: municipal and domestic water supply; water contact recreation; commercial and sport fishing; cold fresh water habitat; wild life habitat; rare, threatened, or endangered species; migration of aquatic organisms; spawning, reproduction, and/or early development; and others. See the response to the California Regional Water Quality Control Board Comments 2, 3, and 4 for a discussion of BMPs and anticipated methods of protecting water quality and waters of the state.

No changes to the Draft EIR/EA are necessary.

Response to Comment 5-7

The commenter would like the trees slated for removal at the Ruby 1 and Ruby 2 locations to be flagged in order to allow the public to visualize the area. No changes to the Draft EIR/EA are necessary.

No changes to the Draft EIR/EA are necessary.

Response to Comment 5-8

The commenter prefers the downstream arched bridge replacement alternative for the Patrick Creek Narrows at the Middle Fork Smith River. This comment has been noted.

No changes to the Draft EIR/EA are necessary.

Response to Comment 5-9

Professional truck drivers and companies are responsible for routing their loads on legal routes. Various truck routes and their limitations are provided on the Department's website (Caltrans 2012). Signs are also installed at intersections to guide these trucks onto the proper routes.

CHP has responsibility for enforcement activities on the State Highway System and they are very active and informed with regards to current and new regulations and enforcing those regulations.

No changes to the Draft EIR/EA are necessary.

California Department of Transportation (Caltrans). 2012. Truck Size & Routes webpage. Caltrans Legal Truck Size & Weight Work Group, Revised 5/2/2012. Available at: <http://www.dot.ca.gov/hq/traffops/trucks/routes/truck-routes.htm>. Accessed: October 31, 2012.

Responses to Public Meeting Commenter 6: Meagan Johnston

Response to Comment 6-1

Thank you for your comments and concerns. The request to improve the routes that children use to get to school is outside the scope of this project and does not meet the purpose and need. See Response to Donald Bruce's Comment 2 for a discussion about school bus accommodation.

For clarification on how truck traffic is anticipated to increase after construction and under future conditions if the project was constructed, please see the Grouped Response #8. For a discussion of how the anticipated trucks per day would affect local communities, please see the response to EPICs Comment 8.

No changes to the Draft EIR/EA are necessary.

Response to Comment 6-2

See response to comment above.

No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 7: DeAnn Rupert

Response to Comment 7-1

This comment does not specifically address the DEIR/EA; it suggests hiring additional CHPs and installing speed limit signs. This comment indirectly refers to the Basic Speed Law, on which all fifty states base their speed regulations:

“No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.”

Adherence to the Basic Speed Law can be increased by traditional law enforcement; however, resources for all state agencies are limited. These suggestions would not meet the purpose and need; see the revised Chapter 1 in the Final EIR/EA and Grouped Response #1 for a discussion regarding purpose and need. As the commenter noted, the only reduced speed zone on Route 197 is near the junction of 199/197; 45 mph from PM R0.10 to R0.56. This speed zone was set in accordance with the vehicle code; see Grouped Response # 8 for more information on how speed zones are determined. The rest of the highway has a maximum speed limit of 55 mph, which is the maximum speed limit per the vehicle code for two-lane, undivided conventional highways. Regulatory speed zones cannot be applied to spot locations.

No changes to the Draft EIR/EA are necessary.

Response to Comment 7-2

This comment states concern for the amount of right of way acquisition on the commenter's property and concern that truck speeds might increase. See response to EPICs Comment 8 for a discussion regarding right of way acquisition. See Grouped Response #8 for a discussion of safety.

No changes to the Draft EIR/EA are necessary.

Response to Comment 7-3

The commenter objects to the road being widened and states concern that the region might become a larger city and lose the sense of remoteness. See response to EPICs Comment 8 for a discussion regarding how the proposed project would affect the rural character of the local communities.

No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 8: Janet Kasbohm

Response to Comment 8-1

This comment states concern that the project will increase the potential for hazardous materials spills and proposes that funds be set aside for spill cleanup efforts. See the response to Vern Powers' Comment 1 and the response to John Zuehlke's Comment 6 for a discussion of hazardous materials. Spills caused by traffic accidents have resulted in pollutants reaching the Smith River in the past. However, proposed improvements will enhance safety for all road users and reduce the likelihood of accidents and potential hazardous material spills that might be related to the existing road condition.

Regarding the commenter's proposal to allocate funds for local fire departments for environmental disaster cleanup when a river is polluted with a hazardous material spill, the Department has a Spill Contingency Plan for District 1 (updated in 2012), which includes Del Norte County, that would be implemented in the event that a spill occurred on a state highway

facility in District 1. The plan contains contact information in case of such emergencies, the requirement to develop and maintain verbal agreements with spill management groups to help ensure that the Department and these groups are prepared to act quickly if a spill occurs, and actions that would be implemented at various stages of spill cleanup. Among the actions are measures that the Department's Hazardous Materials Coordinator would follow to ensure that the spill would be cleaned up quickly and that the party responsible for the spill was involved in the cleanup process as required, including payment of cleanup activities. If the party responsible for the spill is unable or unwilling to pay for spill cleanup, the Department's Hazardous Materials Coordinator would then follow the protocol in the Spill Contingency Plan to ensure that the spill was still quickly cleaned up, and then follow the protocol to ensure that the cleanup activities were paid for. After the spill site is cleaned up, the site is reviewed and declared clean and safe by the county's Environmental Health representative. The Department's District 1 Spill Contingency Plan is available for review at the District 1 office at 1656 Union Street in Eureka, or it can be made available electronically or in hard copy form upon request.

No revisions to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 9: Mike Sullivan (Del Norte County BOS)

Response to Comment 9-1

This comment does not provide a comment on the Draft EIR/EA. The comment indicates support for the economic benefits and safety enhancements of the proposed project.

No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 10: Donald Bruce

Response to Comment 10-1

This comment states support for the no-build alternative. See the revisions to Chapter 1 in the Final EIR/EA and Grouped Response to Comment #1 for a discussion and clarification regarding the purpose and need of the proposed project. See Grouped Response #2 for a discussion regarding potential economic gains as a result of the project. See response to EPICs Comment 8 for information regarding impacts on tourism, which are essentially anticipated to occur on a temporary, and not a permanent, basis.

No changes to the Draft EIR/EA are necessary.

Response to Comment 10-2

The comment does not address the DEIR/EA specifically; it states concern regarding safety of the highway, even after improvements are made, if STAA trucks are allowed. The Department is designing the roadway specifically to accommodate STAA vehicles and does not anticipate increases in collisions due to off tracking. See Grouped Response #8 for issues concerning safety.

No changes to the Draft EIR/EA are necessary.

Response to Comment 10-3

This comment suggests finding an alternate route, such as Rowdy Creek. Alternate routes were considered but determined to be infeasible due to environmental effects. See Grouped Response #6 for a discussion regarding an alternative route linking US 101 to US 199. No changes to the Draft EIR/EA are necessary.

Response to Comment 10-4

This comment does not specifically address the DEIR/EA; it states that the commenter has reviewed a ten-year California Highway Patrol report, and the main cause of accidents on 199 is speeding, followed by offtracking into the oncoming traffic lane. The comment states the concern that widening some corners might heighten the problem and states a preference for more law enforcement instead. Additional law enforcement alone would not meet the purpose and need of the proposed project; see revisions to Chapter 1 in the Final EIR/EA and Grouped Response #1 for clarification of the purpose and need. Also, widening the road and increasing curve radii at the seven pinch-point locations, as proposed, would actually minimize the potential for offtracking of a long vehicle, including an STAA truck, into the oncoming traffic lane. The proposed improvements would allow an STAA truck or long vehicle to navigate a turn while staying on the correct side of the road. Please see Grouped Response #8 for more information on how the proposed project locations were determined and designed.

No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 11: Dwayne Reichlin (President of Hambro Group)

Response to Comment 11-1

The comment does not address the DEIR/EA specifically; it states that one of the reasons there are issues on the roadways is because money hasn't been spent on road improvements. The Department agrees that safety for all users is a priority.

Please see Grouped Response #8: Safety and response to Center for Biological Diversity's Comment 6 for discussions regarding safety. No changes to the Draft EIR/EA are necessary.

Response to Comment 11-2

The comment does not address the DEIR/EA specifically. The commenter thinks that the highways need to be safer for everyone, not just trucks, and that a better local economy will never occur without roadway improvements. The comment indicates support for the economic benefits and safety enhancements of the proposed project. Please see Grouped Response #8: Safety and response to Center for Biological Diversity's Comment 6 for discussions regarding safety.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 11-3

This comment is an extension of the previous comment, TC11- 2 and does not provide a comment on the Draft EIR/EA. The comment offers support for the project. Please see Grouped

Response #8: Safety and response to Center for Biological Diversity's Comment 6 for discussions regarding safety.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 11-4

This comment does not provide a comment on the Draft EIR/EA. The comment refers to the overall state of the California manufacturing economy. No response is required.

No revisions to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 12: Curt Olson

Response to Comment 12-1

This comment states concern regarding safety of residents near Ruby 2 and speeding traffic. See the response to DeAnn Rupert 7-1 above and Grouped Response #8 regarding safety, local communities and regarding speed limits. No changes to the Draft EIR/EA are necessary.

Response to Comment 12-2

This comment does not address the DEIR/EA; it states that Rumiano Cheese trucks use SR 197 at least 3 times a day. No changes to the Draft EIR/EA are necessary.

Response to Comment 12-3

The commenter states that water runoff and streams were not addressed in the Draft EIR/EA. The DEIR/EA did address water quality and storm water impacts and BMPs to protect water quality and waters of the state. Section 2.2.2, Water Quality and Storm Water Runoff describes the affected environment and potential impacts to water quality. Mitigation measures for impacts is discussed in Section 2.2.2.4, Avoidance Minimization, and/or Mitigation Measures starting on page 2.2-13 which describes how best management practices would be implemented at each project location to minimize or avoid degradation of storm water runoff flowing to the Smith River and its tributaries.

No changes to the Draft EIR/EA are necessary.

Response to Comment 12-4

This comment states concern regarding speed along SR 197 in front of residences and accidents that have happened nearby. Please refer to the response to Grouped Comment #8 for a discussion of traffic safety and impacts from the anticipated trucks per day, how speed zones are determined, and the Basic Speed Law.

No revisions to the DEIR/EA are needed.

Response to Public Meeting Commenter 13: Gina Zottola (rep CC-DN Co Chamber of Comm.)

Response to Comment 13-1

The comment indicates support for the project. No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 14: Meagan Johnston

Response to Comment 14-1

This comment expresses concern for safety of children walking to school bus stops. Please see Donald Bruce Response # 2 for a discussion on this topic.

No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 15: DeAnn Rupert

Response to Comment 15-1

This comment concerns safety of school bus stops. See Bruce Donald Response # 1 for a response to the issue of school bus stops and safety.

No changes to the Draft EIR/EA are necessary.

Response to Comment 15-2

This comment repeats the comment in Comment 7-1 of this chapter suggesting lower speed limits and more signs. Please see the response to comment 7-1 for more information and Grouped Response # 8 for more information on speed limits and safety.

No changes to the Draft EIR/EA are necessary.

Response to Comment 15-3

The commenter prefers the region remain remote and does not support the proposed project. See the response to EPICs Comment #8 in Chapter 2 of the response to comments volume for a discussion of the proposed project and maintaining the rural character of the communities near the proposed project locations.

No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 16: Doreen Bruce

Response to Comment 16-1

This comment introduces the commenter and explains that she has not read the entire document but appreciates the size and effort of the study.

No changes to the Draft EIR/EA are necessary.

Response to Comment 16-2

This comment states opposition to the proposed project, questions the rationale for the proposed project, and states concern for tourism, the scenic byway, and safety. See revisions in Chapter 1 of the Final EIR/EA and Grouped Comment #1 for a discussion of purpose and need. See Grouped Response #2 for a discussion regarding anticipated benefits of the project. See Chapter 2 of the Draft EIR/EA for a discussion of potential impacts and measures to avoid, minimize, and/or mitigate impacts to tourism, visual resources, and safety.

No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 17: Katherine Noble

Response to Comment 17-1

This comment makes a comparison between the proposed project and Interstate 280 through Los Gatos, CA. The comment does not specifically address the DEIR/EA. See the response to EPICs Comment #8 regarding how the project would affect the rural character of the proposed project and Grouped Response #2 for a discussion of anticipated benefits of the proposed project. No changes to the Draft EIR/EA are necessary.

Response to Comment 17-2

This comment questions the need for the project. Please see the revised Need statement in Chapter 1 of the Final EIR/EA and Grouped Response #1 for clarification of the project purpose and need. See Grouped Response #2 for a discussion of anticipated benefits of the proposed project. No changes to the Draft EIR/EA are necessary.

Response to Comment 17-3

This comment does not support the proposed project and states that four lane highways should stay in the valley. The comment does not directly address the DEIR/EA. See Chapter 1 of the Draft and Final EIR/EA for proposed project descriptions, none of which include proposed four lane highways. See response to EPICs Comment #8 regarding how the proposed project would affect the rural character of local communities. No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 18: Elmer Zuehlke

Response to Comment 18-1

This comment proposes an alternative to “put a four lane road up the side of the mountain in parallel with US 199 through the park.” See the Grouped Response #6 for more information regarding an alternative route linking US 101 to I 5. No changes to the Draft EIR/EA are necessary.

Response to Comment 18-2

This comment does not directly address the DEIR/EA; it states there a tremendous number of collisions on 197 and 199 that have occurred and that a four land highway to I-5 through the park would be the best decision. See the Grouped Response #6 for more information regarding an alternative route linking I-5 to US 199. See Grouped Response #8 for a discussion of how the Department responds to collisions in a given area and how road repairs are prioritized.

No changes to the Draft EIR/EA are necessary.

Response to Comment 18-3

This comment expresses concern over cutting down mature redwood trees. The Department has chosen the Two-Foot Widening in Spot Locations as the preferred alternative for Ruby 2. This alternative will have less of an impact on trees than the other Ruby 2 alternatives. No redwoods with a diameter greater than 36 inches will be removed or substantially affected by the preferred alternative. Where excavation is planned near redwoods with a diameter greater than 36“,

protective measures will be taken to protect the roots. See Grouped Response #3 regarding the project's impact on visual resources.

No changes to the Draft EIR/EA are necessary.

Response to Comment 18-4

This comment states a concern for the close proximity of the road to the edge of the slope that goes toward the river. See the Grouped Response #8 for information regarding safety.

This comment is likely referring to the narrow section of Highway 197 above the river between PM 5.5 and PM 6.0. On 3/2/2012 Caltrans initiated a formal Traffic Safety investigation on DN 197 from PM 5.5 to PM 6.0. We will be investigating this area to determine if any changes are necessary. This is however, outside the scope of this project and this DEIR/EA

No revisions to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 19: Don Gillespie

Response to Comment 19-1

This comment states concern about safety and truck drivers that are inexperienced with the route. See Grouped Response #8 for a discussion regarding the projected increase in truck traffic and safety with regard to the local communities and road users. Also, see Grouped Response #2 for a discussion of anticipated benefits of the proposed project. No changes to the Draft EIR/EA are necessary.

Response to Comment 19-2

See Chapter 1 of the Final EIR/EA and Grouped Response #1 for discussions of purpose and need of the proposed project. See Grouped Response #2 for a discussion of costs versus benefits of the proposed project.

No changes to the Draft EIR/EA are necessary.

Response to Comment 19-3

This comment states that there is an unsafe turn at PM 6.1 on SR 197. On 3/2/2012 Caltrans initiated a formal Traffic Safety investigation on DN 197 from PM 5.5 to PM 6.0. We will be investigating this area to determine if any changes are necessary. See response to Center for Biological Diversity's comment #6 for an explanation of how the Department responds to collisions in a given area and how road repairs are prioritized.

No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 20: Dwayne Reichlin

Response to Comment 20-1

This comment does not directly address the DEIR/EA; it states that the safer the highways are made for trucks, the safer they are for all vehicles.

No changes to the Draft EIR/EA are necessary.

Response to Comment 20-2

This comment does not address the DEIR/EA directly. The commenter states that change will take place regardless and that it's important to improve the infrastructure while keeping local people employed. No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 21: Jean Rupert

Response to Comment 21-1

This comment questions the economic cost versus benefit of the project. Please see the revised Need statement in Chapter 1 of the Final EIR/EA and Grouped Response #1 for clarification of the project purpose and need. See Grouped Response #2 for a discussion of monetary costs of the project versus anticipated economic gain. Please see Grouped Response #8 regarding safety of the proposed project.

No changes to the Draft EIR/EA are necessary.

Response to Comment 21-2

This comment asks what safety measures might be implemented if STAA trucks are allowed on the SR 197/US 199 route, particularly if hazardous materials are being transported, and especially considering past spills and multiple days that the community's water supply was affected after a spill. See the response to Vern Powers' Comment 1 for further discussion regarding hazardous material spills. Also see the response to Transcribed Comment 8-1 (Janet Kasbohm) for a discussion regarding the Department's Spill Contingency Plan for District 1, which includes Del Norte County.

No changes to the Draft EIR/EA are necessary.

Response to Comment 21-3

This comment suggests more law enforcement. See response to Transcribed Comment 7-1 in this chapter of the responses to comments volume of the Final EIR/EA for a discussion regarding more law enforcement, and Group Response # 8 on safety and speed limits.

No changes to the Draft EIR/EA are necessary.

Response to Comment 21-4

This commenter is expressing the opinion that young people leave the area as a personal choice, not due to the lack of employment and career opportunities. It also states concern for the wild and scenic river. It does not directly address the DEIR/EA.

No changes to the Draft EIR/EA are necessary.

Response to Comment 21-5

The comment states concern for spills and associated impacts. See the response to Vern Powers' Comment # 1, and Transcribed Comment 8-1, above, for discussions regarding hazardous material spills and clean up.

No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 22: Gary Smaller

Response to Comment 22-1

This comment suggests the alternative route through Rowdy Creek. See Grouped Response #6 for a discussion regarding an alternative route linking US 101 to US 199. No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 23: Jean Rupert

Response to Comment 23-1

The commenter asked why the Draft EIR/EA was not available at the local Caltrans office. Environmental documents are made available at the Department's District 1 Office at 1656 Union Street in Eureka as well as the public library in Crescent City. The Draft EIR/EA was made available for public viewing at the District 1 office, the local library, the Del Norte Transportation Commission office, and online for viewing or downloading. The Caltrans office in Crescent City is not open to the public and is not staffed to provide the public with documents on a regular basis during business hours.

No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 24: DeAnn Rupert

Response to Comment 24-1

The commenter favors an alternative route over the mountains to the proposed project. See Grouped Response #6 for a discussion regarding an alternative route linking US 101 to US 199. No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 25: Meagan Johnston

Response to Comment 25-1

The commenter states that if one wants to find work in the area, they can and that the beauty of the area should remain untouched. The comment does not address the DEIR/EA directly.

No changes to the Draft EIR/EA are necessary.

Response to Public Meeting Commenter 26: Elmer Zuehlke

Response to Comment 26-1

The commenter states that a four lane freeway from I-5 to Crescent City is preferable to the proposed project. See Grouped Response #6 for a discussion regarding an alternative route linking US 101 to US 199. No changes to the Draft EIR/EA are necessary.

Responses to Public Meeting Commenter 27: Charlie Compton

Response to Comment 27-1

This comment does not provide a comment on the Draft EIR/EA. The comment states the importance of the economic benefits of the proposed project and support for the project.

No changes to the Draft EIR/EA are necessary.

Response to Comment 27-2

This comment is regarding the safety of the roads and how improvements are needed to make them safer. See response to Center for Biological Diversity's comment 6 for an explanation of how the Department responds to collisions in a given area and how road repairs are prioritized. Also, see Grouped Response #8 for a discussion of safety.

No changes to the Draft EIR/EA are necessary.

3.5 Form Letter

A total of 27 form letters were received, five of which were modified from the original form letter. One representative copy of the form letter is presented below along with each modified copy of the form letter that contained additional, unique comments.

- Ausman, Candi
- Bell, Jackie
- Brown, Devaney
- Coughenour, Michael
- Crawford, Ryan
- Donohue, Karen
- Fehrenbach, Anne
- Flowers, Bobbie
- Hergenrather, Harry
- McSweeney, Charles Otter
- Mitchell, David
- Morgan, Linda
- Nelson, Jill
- O'Conner, Meave
- Ornelas, Bob
- Rahn, Paul
- Rebman, Rick
- Saalfield, Katherine
- Scott, Celia
- Shearer, Robert
- Stebbings, Barrie
- Stocks, Doug

Form Letters with Additional Commentary

- Blakeley, Sheila +
- Farmer, Tim +
- Jamieson, Amber +
- Perricelli, Claire +
- Rahn, Paul +

To
kimberly_hayler@dot.ca.gov
cc

Subject
Stop the Highway 199 & 197

The "Safe STAA Access Project" in Del Norte County recently submitted by Caltrans should not be approved.

1

The project is unnecessary and only caters to a few large corporate interest groups.

Widening and realigning Highways 199 and 197 through a wild and scenic river corridor and through ancient redwood groves will damage the root and canopy structures of ancient redwood trees, and will negatively affect one of the last undammed rivers in the US.

2

The environmental assessment is too broad and includes too many locations to serve as the basis for a single environmental analysis. Please extend the comment deadline to give the public an adequate opportunity to review all of the different alternatives proposed in this project.

3

Responses to Form Letter Commenters

Response to Comment 1

The comment is not a comment on the DEIR/EA; it states that the project should not be approved and is unnecessary. See the revised Purpose and Need statement in Chapter 1 of the Final EIR/EA and Grouped Response #1 for clarification of the project purpose and need, and see Grouped Response #2 for anticipated benefits of the proposed project..

No changes to the Draft EIR/EA are necessary.

Response to Comment 2

This comment expresses concern regarding damage to redwood trees and the Smith River. The Preferred Alternative for Ruby 2 is the Two Foot Widening in Spot Locations. No large redwoods (>36 inches) would be removed or substantially affected by the proposed project at the Ruby 1 Location or the Preferred Alternative at Ruby 2. See Grouped Response #4 for a discussion of potential effects and the measures which will be taken to protect large redwoods. Caltrans consulted with the Forest Service and the National Park Service on potential impacts to the Wild and Scenic River. See grouped response #5 for information regarding the Wild and Scenic River status of the Smith River and the potential impacts.

No changes to the Draft EIR/EA are necessary.

Response to Comment 3

The comment states that the DEIR/EA is too broad and includes too many locations, and requests that the comment deadline be extended. The document encompasses multiple locations because they have the same purpose and need, and thus must be analyzed as one project under NEPA and CEQA. See Grouped Response # 1: Purpose and Need. The Draft EIR/EA and supporting technical studies were available at the Department's District 1 office starting on June 29, 2010 and were also available at the Del Norte County Library in Crescent City. Public comments on the Draft EIR/EA were officially accepted through August 23, 2010. The California Environmental Quality Act mandates a minimum of 45 days be provided for the public review of an Environmental Impact Report (Title 14 California Code of Regulations Section 15105). The National Environmental Policy Act and the Federal Highway Administration require a minimum 30-day review period (Title 23 Code of Federal Regulations Part 771.119). The actual review period for this project was 56 days, which is longer than the mandated durations.

No revisions to the Draft EIR/EA are necessary.

Blakeley, Sheila

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/14/2010 02:13 PM -----

Sheila Blakely
<eikon_renasci@hotmail.com>

To kimberly_hayler@dot.ca.gov
cc

08/21/2010 10:31 PM

Subject Stop the Highway 199 & 197

Please respond to eikon_renasci@hotmail.com

Please, don't continue to turn the whole of our beautiful state, our beautiful lands, into a freeway. We need quiet and isolated places - not a fast way to get more cheap products form China nor more traffic speeding through quiet and tranquil stretches.

Please, stand on the side of life and respect, rather than on the side of someone elses dollar and profits.

CalTrans has no right to callously and indifferently kill lifeforms that were living here before this nation existed... standing for a thousand or more years. Yet, you

1

2

have the audacity to have no respect for this. Seemingly so full of entitlement that you could destroy such a magnificent and amazing national treasure, found nowhere else in our solar system... perhaps the universe.

2
cont.

How rare and precious a thing to chip away at for some temporary monetary gain. Some things, when lost, are never had again.

3

It's the right of the people who live with this beauty and pay for these roads to have the say as to whether or not the roads are widened; as opposed to the corporations who stand to profit and send their profits outside of the community.

What good is this for our communities?

It isn't.

You've already ignored the interests of We The People in regard to Richardson Grove, please don't continue to make another similar decision and prove your disdain for those who live in these communities.

Please. Don't continue with this project.

The "Safe STAA Access Project" in Del Norte County recently submitted by Caltrans should not be approved.

The project is unnecessary and only caters to a few large corporate interest groups.

Widening and realigning Highways 199 and 197 through a wild and scenic river corridor and through ancient redwood groves will damage the root and canopy structures of ancient redwood trees, and will negatively affect one of the last undammed rivers in the US.

The environmental assessment is too broad and includes too many locations to serve as the basis for a single environmental analysis. Please extend the comment deadline to give the public an adequate opportunity to review all of the different alternatives proposed in this project.

Sheila Blakely
1814 A st
Eureka, CA 95501

Responses to Sheila Blakeley

Response to Comment 1

This comment expresses concern for the beauty and isolation of the area and sees the project as validation to monetary profit rather than preservation of the environment. The comment does not address the DEIR/EA or the proposed project specifically. Please see the response to Environmental Protection Center's (EPICs) Comment 8 in Chapter 2 of the responses to comments volume of the EIR/EA for a discussion regarding anticipated minimal changes to the rural character of the area in the vicinity of the proposed project and community cohesion.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 2

This comment does not address the DEIR/EA or the proposed project specifically. The comment is unclear regarding what life forms are being discussed, but the Department assumes that the comment is regarding removal of large redwoods at Ruby 2 under the Two-Foot Widen Alternative and the Four-Foot Widen Alternative. The Department considered the removal of large redwoods (>36 inches) a significant impact under CEQA, and selected the Two-Foot Widening in Spot Locations Alternative, which does not remove or substantially impact any large redwood trees. See Group Response #4 for a discussion of large redwoods.

No revisions to the Draft EIR/EA are necessary.

Response to Comment 3

This comment does not address the DEIR/EA; it states opposition to the project. See the revised Purpose and Need statement in Chapter 1 of the Final EIR/EA and Grouped Response #1 for clarification of the project purposes need. Also, see Grouped Response #2 for a discussion of anticipated benefits of the project. Also see Grouped Response #3 regarding the project's impact on visual resources.

No further changes to the Draft EIR/EA are necessary.

Farmer, Tim

----- Forwarded by Kim Floyd/D01/Caltrans/CAGov on 08/23/2010 09:26 AM -----

Tim Farmer <tjxfarmer@yahoo.com>

08/21/2010 10:47 AM

Please respond to

tjxfarmer@yahoo.co

m

To

kim_floyd@dot.ca.gov

cc

Subject

Questioning proposed projects: Hwy's 199 & 197

Dear Kim

Highways 199 and 197 in Del Norte County in Northern California pass through incredible, even precious, natural beauty and should be not be modified for the benefit of the few and at the expense of the many. In short, the "Safe STAA Access Project" in Del Norte County recently submitted by Caltrans should not be approved. | 1

Widening and realigning Highways 199 and 197, which pass through a wild and scenic river corridor and through ancient redwood groves will, unavoidably, damage these groves to various degrees, including but not limited to their root and canopy structures. These projects will, without question, negatively affect one of the last undammed rivers in the United States. | 2

The environmental considerations of these project proposals are too broad to be well-served by a single environmental analysis. Please extend the comment deadline to give the public an adequate opportunity to review all of the different alternatives proposed in this project. | 3

Thank you for considering this point of view.

Tim Farmer

404 N. Mount Shasta Blvd.

#117

Mount Shasta, CA 96067

Responses to Tim Farmer

Response to Comment 1

This comment states opposition to the project because of potential effects to aesthetics. See the revised Need statement in Chapter 1 of the Final EIR/EA and Grouped Response #1 for clarification of the project need. Also see Grouped Response #3 regarding the project's impact on visual resources.

No changes to the Draft EIR/EA are necessary.

Response to Comment 2

See response to Form Letter Commenters Comment #2 above.

No changes to the Draft EIR/EA are necessary.

Response to Comment 3

See response to Form Letter Commenters Comment #3 above.

No changes to the Draft EIR/EA are necessary.

Jamieson, Amber

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/14/2010 01:10 PM -----

amber Jamieson
<tahoeamber@yahoo.com>

To kimberly_hayler@dot.ca.gov

cc

Subject Stop the Highway 199 & 197

08/20/2010 05:41 PM

Please respond to tahoeamber@yahoo.com

The "Safe STAA Access Project" in Del Norte County recently submitted by Caltrans should be rescinded.

1

Widening and realigning Highways 199 and 197 through ancient redwood groves will damage the root and canopy structures of ancient redwood trees, threatening some of California's few remaining cathedral redwood groves. This project will also forever alter the character of the wild and scenic Smith River.

The environmental assessment is too broad and includes too many locations to serve as the basis for a single environmental analysis. Caltrans has ignored potential alternatives, failed to provide critical information about impacts to endangered species, improperly address the project's potential climate impacts, and downplayed the far-reaching effects of allowing STAA truck traffic into Del Norte County.

2

State and federal legislators should step in to rescind this unnecessary and destructive project. The risks to imperiled species like the marbled murrelet and the ancient redwoods upon which they depend are simply unacceptable. The project could also facilitate additional big-box development and urbanization, forever altering the human and natural environment of Del Norte County. The Smith River and the ancient redwood groves along the river are too important to be sacrificed to big trucks and the big-box stores that will follow close behind.

3

amber Jamieson
kingston
Fieldbrook, CA 95519

Responses to Amber Jamieson

Response to Comment 1

See response to Form Letter Commenters Comment #2 above. No changes to the Draft EIR/EA are necessary.

Response to Comment 2

This comment claims specific failures in the DEIR/EA. For questions on potential alternatives, see Group Response # 7. Potential impacts to endangered species are discussed Section 2.3.5 and Section 2.4.16 of the Draft EIR/EA. No significant impacts are anticipated for endangered species with the selection of the preferred alternatives (see revised Chapter 1 in the Final EIR/EA) and avoidance, minimization, and mitigation measures, as discussed in the Final EIR/EA (see FEIR/EA Sections 2.3.5, 2.4.16, and 3.2.1-3.2.2). The project's effect on climate change is discussed in Chapter 3 on page 3-5 of the Draft EIR/EA, and in the revised Section 3.2.4 in the Final EIR/EA. Grouped Response # 2 discusses the potential costs and benefits of the project including general effects of STAA access. No further changes to the Draft EIR/EA are necessary.

Response to Comment 3

This comment does not address the DEIR/EA. This comment raises the issue that providing improved STAA truck access to Del Norte County could attract more large retailers (so-called "big-box" stores) to the study area. See the response to Ken Miller's Comment 1 for a discussion on this subject.

No large redwoods will be removed, as Caltrans has chosen the Ruby 2: Two-Foot Widening in Spot Locations as the preferred alternative. See also the avoidance and minimization measures as described in Sections 2.3.1.3 and 2.3.5.4 of the Draft and Final EIR/EA, which would reduce potential effects on redwoods and marbled murrelet to a negligible level. No significant impacts are anticipated for any environmental resource with the selection of the preferred alternatives (see revised Chapter 1 in the Final EIR/EA) and avoidance, minimization, and mitigation measures, as discussed in the final EIR/EA (see avoidance, minimization, and/or mitigation measures sections of each topic in Chapter 2 of the Draft and Final EIR/EA plus Section 3.2.1 and 3.2.2 in the Draft and Final EIR/EA). See Grouped Response # 4 for information on potential impacts to trees.

Please also refer to Grouped Response #1 for more information on purpose and need and Grouped Response #2 for a discussion regarding anticipated benefits of the proposed project.

No revisions to the Draft EIR/EA are necessary.

Perricelli, Claire

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/14/2010 02:07 PM -----

Claire Perricelli
<ceperr@sbcglobal.net>

To kimberly_hayler@dot.ca.gov

cc

Subject Stop the Highway 199 & 197

08/21/2010 12:41 AM

Please respond to ceperr@sbcglobal.net

We need to focus on short sea shipping and other such lower impact alternatives to more truck pollution and habitat destruction for roads.

The "Safe STAA Access Project" in Del Norte County recently submitted by Caltrans should not be approved.

The project is unnecessary and only caters to a few large corporate interest groups.

Widening and realigning Highways 199 and 197 through a wild and scenic river corridor and through ancient redwood groves will damage the root and canopy structures of ancient redwood trees, and will negatively affect one of the last undammed rivers in the US.

The environmental assessment is too broad and includes too many locations to serve as the basis for a single environmental analysis. Please extend the comment deadline to give the public an adequate opportunity to review all of the different alternatives proposed in this project.

Claire Perricelli
2259 16th
Eureka, CA 95501

1

Response to Claire Perricelli

Response to Comment 1

This comment suggests studying short sea shipping rather than trucking and “other such lower impact alternatives” but does not provide specific alternative suggestions. Studying short sea shipping and alternative shipping methods is beyond the scope of this project and would not meet the purpose and need. See the revised Chapter 1 in the Final EIR/EA for clarification of the purpose and need and Grouped Response #1 for details regarding the purpose and need of the project.

No revisions to the Draft EIR/EA are necessary.

Rahn, Paul

----- Forwarded by Kimberly Hayler/D01/Caltrans/CAGov on 09/29/2010 08:50 AM -----

Paul Rahn
<paul_rahncashmanequipment.com>

To kimberly_hayler@dot.ca.gov
cc
Subject Stop the Highway 199 & 197

09/29/2010 08:21 AM

Please respond to paul_rahncashmanequipment.com

The "Safe STAA Access Project" in Del Norte County recently submitted by Caltrans should not be approved.

The project is unnecessary and only caters to a few large corporate interest groups.

Widening and realigning Highways 199 and 197 through a wild and scenic river corridor and through ancient redwood groves will damage the root and canopy structures of ancient redwood trees, and will negatively affect one of the last undammed rivers in the US.

The environmental assessment is too broad and includes too many locations to serve as the basis for a single environmental analysis. Please extend the comment deadline to give the public an adequate opportunity to review all of the different alternatives proposed in this project. My wife and I drive this hiway all the time and drive it specifically for its pristine beauty. cutting down these trees and widening this higway is not needed. surely you can find better ways to improve California without destroying the awesome beauty of this hiway. Paul D. Rahn
Reno, Nv.

1

Paul Rahn
5557 cornflower ct
sun valley, NV 89433

Response to Paul Rahn

Response to Comment 1

The Department has chosen the Two-Foot Widening in Spot Locations as the preferred alternative for Ruby 2. This is the least damaging alternative of the Ruby 2 alternatives and no large redwood trees would be removed as a result of construction of that alternative. The Department strives to strike a balance between preserving the natural beauty of the area and addressing the purpose and need of the project. No significant impacts would occur to visual or other environmental resources if the proposed project is constructed.

See Grouped Response #1 for a detailed explanation of the purpose and need of the project and Grouped Response #3 regarding the project's impact on visual resources.

No changes to the Draft EIR/EA are necessary.