

# **AGENCY COORDINATION PLAN**

**for the**

## **LAST CHANCE GRADE PERMANENT RESTORATION PROJECT**

**DEL NORTE COUNTY, CALIFORNIA  
DISTRICT 1 – DN – 101 (Post Miles 12.0 to 15.5)  
EA 01-0F280 / EFIS 0115000099**



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



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# Chapter 1. Overview

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## 1.1 Agency Coordination Plan Purpose

This Agency Coordination Plan was prepared to meet the requirements of “Efficient Environmental Reviews for Project Decision-Making,” codified in 23 USC 139, which was introduced in 2005 by Section 6002 of the *Safe, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFTEA-LU), and amended in 2012 by the *Moving Ahead for Progress in the 21st Century Act* (MAP-21) and in 2015 by the *Fixing America’s Surface Transportation Act* (FAST Act). This environmental review process is intended to promote efficient project management and enhanced coordination during the project development process and applies to projects requiring an Environmental Impact Statement (EIS), as defined by the National Environmental Policy Act (NEPA).

The Agency Coordination Plan establishes an approach for agency (lead, participating, and cooperating) and public participation during the environmental review process for the Last Chance Grade Permanent Restoration Project (LCG Project).

The Agency Coordination Plan:

- Identifies lead, participating, and cooperating agencies.
- Identifies coordination points and responsibilities.
- Establishes timing and format for public and agency participation.

## 1.2 Project Background

The LCG Project, commonly referred to as the Last Chance Grade project, is on a segment of U.S. Highway 101 (US 101) in Del Norte County, south of Crescent City (Figure 1). LCG has a history of geologic instability, including deep-seated landslides and slipouts, presenting a long-term challenge to roadway stability and maintenance. Over the years, Caltrans has conducted many projects and maintenance activities, including the construction of retaining walls, drainage improvements, and roadway repairs to keep the highway open; these activities costing millions of dollars. A long-term, sustainable solution is needed at LCG for many reasons, including the economic ramifications of a long-term failure, risk of delay and/or detour to the traveling public, increasing maintenance costs, and the increasing frequency and severity of large storm events caused by climate change.

The purpose of the proposed project is to develop a long-term solution to the instability and roadway failure. The project would consider alternatives that provide a more reliable connection, reduce maintenance costs, and protect the economy, natural resources, and cultural landscapes.

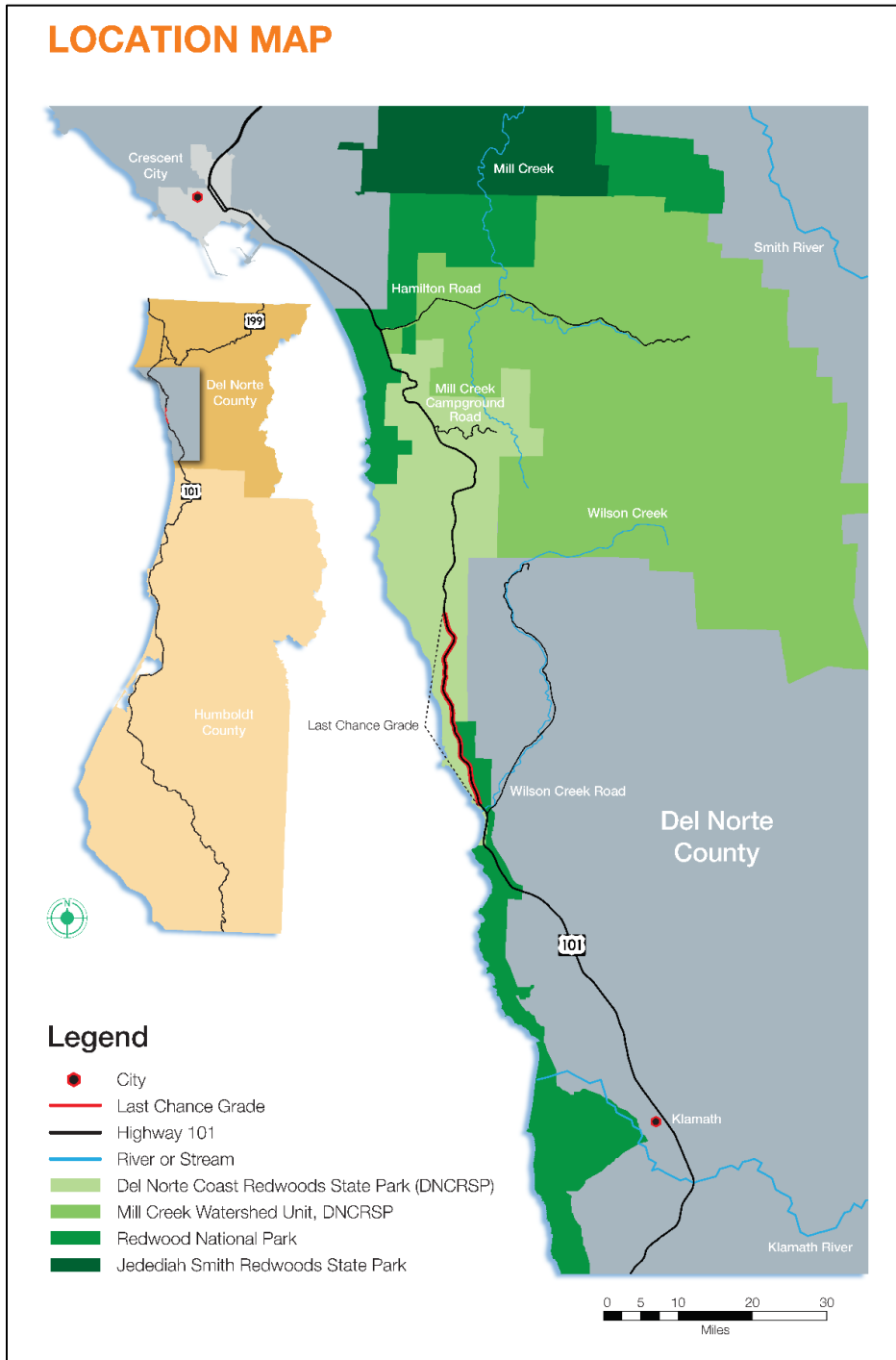


Figure 1. Project Location

## 1.3 Agency Responsibilities

There are three types of agencies described under 23 USC 139: lead, participating, and cooperating. Responsibilities of these types of agencies are described in the sections below.

### 1.3.1 Lead Agencies

Under 23 USC 139, the lead agency is the U.S. Department of Transportation (i.e., the Federal Highway Administration [FHWA]); Caltrans, as the direct recipient of federal funds, must be a joint lead agency. However, under NEPA Assignment (23 USC 327), Caltrans serves as the federal lead agency for transportation projects, and thus serves both roles.

In addition to preparing the EIS and associated functions, lead agency responsibilities include:

- Identifying and involving participating and cooperating agencies.
- Developing a coordination plan.
- Providing opportunities for public and participating agency involvement in defining the purpose and need and determining the range of alternatives.
- Collaborating with participating agencies in determining methodologies and the level of detail for the analysis of alternatives.
- Providing increased oversight in managing the process and resolving issues.

### 1.3.2 Participating Agencies

Participating agencies are any federal, state, tribal, local, and regional government agencies that may have an interest in the project. The roles and responsibilities of participating agencies include:

- Participating in the NEPA process starting at the earliest possible time.
- Identifying, as early as practicable, any issues of concern.
- Providing meaningful and timely input on unresolved issues.
- Participating in the scoping process.
- Reviewing proposed project schedule and providing concurrence and/or comments.
- Reviewing draft environmental documentation.

Accepting the designation as a participating agency does not indicate project support and does not provide an agency with increased oversight or approval authority beyond any applicable statutory authority.

### **1.3.3 Cooperating Agencies**

As defined by the Council on Environmental Quality (CEQ), a cooperating agency is any federal agency (and state, tribal, or local agency with agreement of the lead agency), other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact in a proposed project or project alternative (40 CFR 1508.1). All cooperating agencies are, by definition, participating agencies. The roles and responsibilities of cooperating and participating agencies are similar, though cooperating agencies have a higher degree of authority, responsibility, and involvement in the environmental review process. Distinguishing features of cooperating agencies, as provided by the CEQ include:

- On request of the lead agency, assuming responsibility for developing information and preparing environmental analysis, including portions of the EIS concerning which the cooperating agency has special expertise (40 CFR 1501.8(b)(3)).
- Adoption of the EIS without recirculation after an independent review if the cooperating agency concludes that its comments and suggestions have been satisfied (40 CFR 1506.3(c)).



## Chapter 2. Lead/Participating/Cooperating Agencies

The following section provides information on the lead, participating, and cooperating agencies identified for the LCG Permanent Restoration Project.

A Notice of Intent (NOI) to prepare an EIS was published in the Federal Register on November 4, 2021, and invitations for agency participation and cooperation were sent out on November 10, 2021. The agencies indicated in Table 1 accepted the designation as a participating and/or cooperating agency.

**Table 1. Participating and Cooperating Agencies**

Agency	Role	Contact	Responsibilities
<b>State and Federal Agencies</b>			
Caltrans	Lead	Jaime Matteoli Project Manager (707) 441-2097 <a href="mailto:jaime.matteoli@dot.ca.gov">jaime.matteoli@dot.ca.gov</a>  Steve Croteau Sr. Environmental Planner (707) 572-7149 <a href="mailto:steven.croteau@dot.ca.gov">steven.croteau@dot.ca.gov</a>	Manage environmental review process; prepare EIS; provide opportunity for agency and public involvement; provide oversight of the process and resolving issues
National Park Service (NPS)— Redwood National Park	Participating/ Cooperating Agency	Steve Mietz Superintendent 707-464-6101 <a href="mailto:steven_mietz@nps.gov">steven_mietz@nps.gov</a>	Section 4(f) consultation; park lands and resource expertise
U.S. Army Corps of Engineers (USACE)	Participating/ Cooperating Agency	Dan Breen Sr. Regulatory Project Manager 415-503-6803 <a href="mailto:Daniel.B.Breen@usace.army.mil">Daniel.B.Breen@usace.army.mil</a>	Clean Water Act Section 404 permitting
U.S. Environmental Protection Agency (U.S. EPA)	Participating/ Cooperating Agency	Carolyn Mulvihill NEPA Reviewer—Transportation 415-947-3554 <a href="mailto:mulvihill.carolyn@epa.gov">mulvihill.carolyn@epa.gov</a>	NEPA expertise
U.S. Fish and Wildlife Service (USFWS)	Participating/ Cooperating Agency	Greg Schmidt Fish and Wildlife Biologist 707-825-5103 <a href="mailto:Gregory_Schmidt@fws.gov">Gregory_Schmidt@fws.gov</a>	Section 7 Endangered Species Act consultation; natural resource expertise

Agency	Role	Contact	Responsibilities
National Marine Fisheries Service (NMFS)	Participating/Cooperating Agency	Jeff Jahn South Coast Branch Chief Northern California Office 707-217-9097 <a href="mailto:jeffrey.jahn@noaa.gov">jeffrey.jahn@noaa.gov</a>	Section 7 Endangered Species Act consultation; aquatic resource expertise
California State Parks—Del Norte Coast Redwoods State Park (DNCRSP)	Participating Agency	Victor Bjelajac District Superintendent II 707-445-6547 <a href="mailto:Victor.Bjelajac@parks.ca.gov">Victor.Bjelajac@parks.ca.gov</a>	Section 4(f) consultation; park lands and resource expertise
State Water Quality Regional Control Board—North Coast Regional Water Quality Control Board (NCRWQCB)	Participating Agency	Susan Stewart Environmental Scientist 707-576-2657 <a href="mailto:Susan.Stewart@waterboards.ca.gov">Susan.Stewart@waterboards.ca.gov</a>	Clean Water Act Section 401 permitting
<b>Local and Regional Agencies</b>			
Del Norte County Local Transportation Commission	Participating Agency	Tamera Leighton Executive Director 707-465-3878 <a href="mailto:Tamera@dnltc.org">Tamera@dnltc.org</a>	Transportation Systems
<b>Tribes</b>			
Elk Valley Rancheria	Participating Agency	Dale Miller Tribal Chairman 707-465-2624 <a href="mailto:dmiller@elk-valley.com">dmiller@elk-valley.com</a>	Cultural resource expertise

## 2.1 Invited Agencies

Invitations for agency participation and cooperation were sent on November 10, 2021. Eight agencies accepted the invitation, zero declined, and eleven did not respond (Table 2).

A federal agency invited to participate is designated a participating agency unless the agency declines the invitation by the specified deadline (23 USC 139(d)(3)). If a federal agency chooses to decline, the agency must do so in writing indicating that the agency (1) has no jurisdiction or authority with respect to the project, (2) has no expertise or information relevant to the project, and (3) does not intend to submit comments on the project (23 USC 139(d)(3)). If the federal agency's response does not state the agency's position in these terms, then the agency will be treated as a participating agency. A state, tribal, or local agency is expected to respond affirmatively to the invitation to be designated as a participating agency. If the state, tribal, or local agency fails to respond by the stated deadline or declines the invitation, regardless the reasons for declining, the agency will not be considered a participating agency. If a potential cooperating federal agency declines the participating agency invitation, indicating items (1), (2), and (3) above, that federal agency does not meet the criteria to be a cooperating agency.

Although most participating agencies should be known and identified prior to formally beginning the NEPA process, some participating agencies may be identified by the lead agencies later during the scoping process when their interests become known. As soon as an agency's interest is identified, the lead agencies should invite it to become a participating agency.

**Table 2. Invited Agencies**

Agency	Participating or Cooperating	Accepted	Declined	Did Not Respond
National Park Service (Redwood National Park)	Cooperating and Participating	X		
U.S. Army Corps of Engineers	Cooperating and Participating			X
U.S. Environmental Protection Agency	Cooperating and Participating	X		
U.S. Fish and Wildlife Service	Cooperating and Participating	X		
National Marine Fisheries Service	Cooperating and Participating	X		
Del Norte Coast Redwoods State Park	Participating	X		

Agency	Participating or Cooperating	Accepted	Declined	Did Not Respond
North Coast Regional Water Quality Control Board	Participating	X		
California Coastal Commission (CCC)	Participating			X
California Department of Fish and Wildlife	Participating			X
City of Crescent City	Participating			X
Del Norte County Board of Supervisors	Participating			X
Del Norte County Local Transportation Commission	Participating	X		
Humboldt County Board of Supervisors	Participating			X
Humboldt County Association of Governments (HCOG)	Participating			X
Yurok Tribe	Participating			X
Elk Valley Rancheria	Participating	X		
Resighini Rancheria	Participating			X
Tolowa Dee-Ni' Nation	Participating			X
Tolowa Nation	Participating			X

## Chapter 3. Coordination Points, Responsibilities, and Target Schedule

In accordance with revisions to 23 USC 139 made by the FAST Act, the lead agency, after consultation with and concurrence of each participating agency for the project, must establish a schedule for the completion of the environmental review process for the project (23 USC 139(g)). The schedule includes key coordination points/milestones and decision-making deadlines for each agency approval. The project schedule is shown in Table 3. Some of the key coordination points have already occurred.

**Table 3. Coordination Points, Responsibilities, and Target Schedule**

Coordination Point	Caltrans-Provided Information	Target Date	Parties Involved	Input	Target Comment Need-By Date
Notice of Intent (NOI) to prepare EIS	NOI; publish notice in newspaper; invite agencies and public to scoping meeting	November 5, 2021	Participating / Cooperating Agencies / Public	Comments on NOI	December 6, 2021
NOI Scoping Meeting	Held scoping meeting	November 18, 2021	Participating / Cooperating Agencies / Public	Comments on NOI	December 6, 2021
Purpose and Need	Draft purpose and need statement	Ongoing between 2015–Spring 2021	Participating / Cooperating Agencies / Public	Comments on Purpose and Need	December 6, 2021
Range of Alternatives	Alternatives being considered	Ongoing between 2015–Spring 2021	Participating / Cooperating Agencies	Comments on Range of Alternatives	Spring 2021
Collaboration on impact assessment methodologies	Methodologies and level of detail used in the analysis of alternatives	Fall 2019–Spring 2021	Participating / Cooperating Agencies	Comments on methodologies and identification of any issues that could delay the project	Spring 2021
Collaboration on mitigation	Potential resources affected	Spring 2022–Fall 2022	Participating / Cooperating Agencies / Stakeholder Groups	Opportunities, ratio, criteria	Summer/Fall 2022

Coordination Point	Caltrans-Provided Information	Target Date	Parties Involved	Input	Target Comment Need-By Date
Circulation of Draft EIS (DEIS) and Draft Section 4(f) Evaluation	DEIS	Fall 2023	Participating / Cooperating Agencies / Public	Comments on DEIS and Draft Section 4(f) Evaluation	Fall 2023
Identify Preferred Alternative	Present Preferred Alternative	Spring 2024	Participating / Cooperating Agencies	Comments on Preferred Alternative	Spring 2024
FESA Consultation	Biological Assessment	Spring 2024	USFWS	Biological Opinion	Summer 2024
CESA Consultation	Biological Assessment	Spring 2024	CDFW	Consistency Determination or Incidental Take Permit	Summer 2024
Section 4(f) Evaluation Concurrence	Evaluation	Summer 2024	National Park Service, State Parks	Concurrence	Fall 2024
Circulation of Final EIS (FEIS)/Record of Decision (ROD) and Final Section 4(f) Evaluation	FEIS/ROD/ Section 4(f) Evaluation	Fall 2025	Participating / Cooperating Agencies / Public	Comments on FEIS and Final Section 4(f) Evaluation	Fall 2025
Project Permits, Agreements, and Certifications	Applications	Winter 2025–2026	CDFW, CA Coastal Commission, USACE, NRWQCB	Issue permits, agreements, and certifications	Summer 2026

### 3.1 Initial Coordination

Caltrans has regularly engaged stakeholders, including the public, in the LCG Project since 2014. This effort has included conducting community meetings and establishing working groups that include federal, state, and local governments; local tribes; private sector industry groups; non-governmental organizations (NGOs); and other concerned citizen groups. Information on the coordination for this project can be found on the project website at [lastchancegrade.com](http://lastchancegrade.com).

## 3.2 Notice of Intent

A Notice of Intent to prepare an EIS for the project was published in the Federal Register on November 4, 2021, and a public scoping meeting was held on November 18, 2021. The meeting included a presentation on the scoping process, the project’s purpose and need, the proposed alternatives for evaluation in the EIS (Alternatives X, F, and No-Build), and included a question and answer session. The deadline for formal NOI comments was December 6, 2021. Comments received during the scoping period will be included in the EIS.

## 3.3 Purpose and Need, Range of Alternatives, and Methodologies

Discussions on the project’s purpose and need, range of alternatives, and methodologies began soon after initiation of the project. These included community workshops to present project information—including the alternatives—and to provide opportunities for public and stakeholder comments. Meetings with the project working groups were held to discuss topics relevant to stakeholders. Furthermore, a scoping meeting was held to provide an opportunity for comment, as described above (Section 3.2).

As part of the process, and to reach consensus among working group members regarding the purpose and need and range of alternatives, workshops were held between December 2020 and April 2021. These alternatives analysis meetings included discussion regarding the range of alternatives, evaluation of alternatives, screening methodologies, and resulted in the identification of alternatives for further study in the EIS (Alternatives X, F, and No-Build). This process was documented in an Alternatives Analysis Report (Attachment A). These workshops included all invited participating and cooperating agencies identified in this Agency Coordination Plan.





## Chapter 4. Revision History

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This chapter will document any revisions to the Coordination Plan. Revised plans would be redistributed to all participating and cooperating agencies.

**Table 4. Revision History**

Version	Date	Name	Description



## **Chapter 5. Additional Information**

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The LCG Permanent Restoration Project maintains a website ([lastchancegrade.com](http://lastchancegrade.com)), which contains project information and documentation and allows interested parties to sign up for project updates.



# **Attachment A. Alternatives Analysis Report**

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