NORTH COAST DISTRICT OFFICE 1385 8<sup>th</sup> STREET, SUITE 130

ARCATA, CA 95521 VOICE (707) 826-8950 FAX (707) 826-8960

**CALIFORNIA COASTAL COMMISSION** 

# F12a

## A-1-MEN-22-0016 (Caltrans District 1, Mendocino County) December 16, 2022

## **EXHIBITS**

- Exhibit 1 Project Vicinity Map
- Exhibit 2 Project Location Map
- Exhibit 3 Project Description
- Exhibit 4 Project Plans
- Exhibit 5 Photos of Project Site
- Exhibit 6 Mendocino County Final Action Notice
- Exhibit 7 Mendocino County Staff Report
- Exhibit 8 Appeal Filed



Exhibit 1 – Project Vicinity Map Appeal No. A-1-MEN-22-0016 (Caltrans) Navarro Drainage Project Page 1 of 1



**Project Description** 

The project's objective is to protect the highway from erosion and instability by relocating the drainage system to the natural channel, repair failed roadway embankment side-slopes and the embankment adjacent to an existing private driveway, improve the roadway geometry and increase the roadway travel lanes to 12-feet wide and increase paved shoulders to 4-feet wide within the project limits.

The existing culvert will be removed and a new 36-inch diameter Alternative Pipe Culvert (APC) will be installed connecting to a drainage inlet set at the back of an 8-foot bench and extending to a daylight point on the reconstructed fill slope connecting to a 36-inch downdrain with a 36-inch anchor assembly. The culvert inlet will remain in the same place and the outlet will be relocated approximately 30 feet to the south for better alignment with the natural channel requiring approximately 30 feet of the existing channel to be filled. A 28-feet by 9-feet rock energy dissipater, ¼ ton 17"-20.5" diameter, will be installed at the outlet. A temporary clearwater diversion may be necessary when installing the new culvert depending on the time of year and amount of water present in the natural channel. Either a temporary pipe will be installed for diversion or, depending on how much flow is in the creek, the contractor may elect to discharge water to upland areas.

The roadway embankment side-slopes and the embankment of a private driveway will be repaired and revegetated. Roadway embankment will incorporate geosynthetic reinforced embankment and require approximately 200 CY of import borrow. Disturbed Soil Area (DSA) for this project is estimated at 1.61 acres. Existing impervious area within the project construction limits is 1.04 acres, which consists of the existing paved roadway. After construction of the widened roadway surfaces, the post-project impervious area is proposed to be 1.10 acres. Existing vegetation will be preserved to the maximum extent practicable and in accordance with existing environmental permits and agreements. Environmentally Sensitive Areas (ESA) are delineated on the project plans with THVF. THVF fencing will be included in the contract plans to indicate areas that are off-limits to the contractor. Contractor will access will be from Hwy 1, southeast of failed fill slope, near postmile 42.35 (approximate station "M" 127+00). A 12-inch Corrugated Steel Pipe (CSP) and drain inlet will be removed and the existing ditch will be regraded near the removed inlet so that the runoff is directed towards the new embankment slope and down to the RSP. This path will be lined with rock to prevent erosion. A 170-foot section of barbed wire (3-Strand Wire and Wire Mesh, Metal Post) right of way fencing in the erosion area will be reconstructed. Displaced RSP within the proposed temporary construction easement that had been previously placed along the bank of the stream channel to buttress the roadway embankment side-slopes and the embankment of a private driveway will be removed. Construction of the new roadway shoulders will include excavation of existing material and placement of a new pavement structural section. The new pavement structural section will consist of 1.35 ft of class 2 aggregate base, 0.5 ft of hot mix asphalt (type A), and 0.10 ft of open graded friction course. This will help seal longitudinal pavement joints and give a good surface

> Exhibit 3 – Project Description Appeal No. A-1-MEN-22-0016 (Caltrans) Navarro Drainage Project Page 1 of 2

### 01-0E940 Navarro Drainage, MEN-1-PM 42.3/42.5

### **Project Description**

to receive new striping. A layer of geosynthetic pavement interlayer (GPI) will be used at pavement joints (where the new pavement meets the existing pavement).

Pacific Gas and Electric company (PG&E) and American Telephone and Telegraph Company (AT&T) have existing utilities within the project limits which will be permanently relocated from the west side of highway to the east side of highway.

Three (3) tree stumps are to be removed on State Right of Way, two (2) tree stumps are to be removed on Temporary Construction Easement (TCE) and three wax myrtle trees within the permanent drainage easement.

The anticipated traffic control measures are reversing traffic control, moving lane closure, and shoulder closure. One lane closure is permitted within the project limits. A minimum of 12 feet of paved roadway must be open for use by public traffic. Bicyclists shall be accommodated through the work zone. Signage shall be used to alert vehicles of the possible presence of bicyclists. The estimated maximum delay during one-way reversing traffic control will be 5 minutes. Access to side roads and residences will be maintained during construction. Construction staging will be in turnouts on the east and west sides of State Highway 1 within the State Right of Way at approximate postmiles MEN-001-42.35 to 42.45.

Additional items within the project scope include improvement of superelevation, restriping, installation of edgeline and centerline rumble strips, and dike replacement.

Exhibit 3 – Project Description Appeal No. A-1-MEN-22-0016 (Caltrans) Navarro Drainage Project Page 2 of 2





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**GEOGRID DETAILS** 

STATION	LAYER No.	ELEVATION FROM TOE (FT)	RI
	5	3.1	$\top$
	6	4.4	
	7	5.8	
	8	7.1	
	9	8.4	
	10	9.8	
"N" 1201CO	11	11.1	
M 120+00	12	12.4	
	13	13.7	
	14	15.1	
	15	16.4	
	16	17.7	
	17	19.1	
	7	2.4	
	8	3.7	
	9	5.1	
	10	6.4	
	11	7.7	
"M" 128+70	12	9.1	
	13	10.4	
	14	11.7	
	15	13.0	
	16	14.4	
	17	15.7	
	10	3.1	
	11	4.4	
	12	5.8	
"M" 120±00	13	7.1	
W 120+00	14	8.4	
	15	9.8	
	16	11.1	
	17	12.4	
	12	2.4	
	13	3.7	
"N" 120±00	14	5.1	
M 126+90	15	6.4	
	16	7.7	
	17	9.1	
	15	3.1	
"M" 129+00	16	4.4	
	17	5.8	

STATION	LAYER No.	ELEVATION FROM TOE (FT)	REINFORCEMENT LENGTH (FT)
	14	2.1	4
"M" 128+00	15	3.5	25
	16	4.9	4
	14	2.3	4
"M" 128+10	15	3.7	25
	16	5.0	4
	13	2.1	25
	14	3.4	4
	15	4.7	25
	16	6.1	4
	7	3.3	25
	8	4.6	4
	9	5.9	25
	10	7.3	4
"M" 128+30	11	8.6	25
120100	12	9.9	4
	13	11.3	25
	14	12.6	4
	15	13.9	25
	16	15.2	4
	1	4.2	25
	2	5.5	4
	3	6.9	25
	4	9.2	4
	5	0.2	25
	6	9.5	4
	7	12.2	25
	8	17.5	4
"M" 128+40	9	14.9	25
	10	16.2	4
	11	17.5	25
	12	10.0	25
	13	10.0	25
	11	21.5	25
	15	21.5	25
	16	22.0	25
	2	24.1	и ч
	3	2.4	25
	4		2:5 A
	5		25
	6	7.7	4
	7	0.1	25
	8	10.4	A
"M" 128+50	9	11.7	25
	10	17.0	20 A
	11	10.0	25
	12	14.4	Z
	17	10.1	25
	1.0	10.4	20
	15	10.4	25
	10	19.1	25
	1 10	1 21.0	4

## GEOGRID DETAILS

DEPARTMENT OF TRANSPORTATION         FUNCTIONAL SUPERVISOR         CALCULATED- BESIGNED BY         LIANNA WINKLER-PRINS         REVISED BY         P           03-DESIGN         JAMES D. RASMUSEN         CHECKED BY         JON R. MCKEAN         DATE REVISED         P		×		×	×		×
03-DESIGN JAMES D. RASMUSSEN CHECKED BY JON R. WCKEAN DATE REVISED	- DEPARTMENT O	F TRANSPORTATION	FUNCTIONAL SUPERVISOR	CALCULATED-	LIANNA WINKLER-PRINS	REVISED BY	
O3-DESIGN JAMES D. RASMUSSEN CHECKED BY JON R. MCKEAN DATE REVISED				DESIGNED BY			
	03-D	DESIGN	JAMES D. RASMUSSEN	СНЕСКЕД ВҮ	JON R. MCKEAN	DATE REVISED	

BORDER LAST REVISED 7/2/2010	USERNAME => s148600 DGN FILE => 0115000048ga005.dgn	RELATIVE BORDER SCALE IS IN INCHES	UNIT 0306	













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	REVISED BY		DATE REVISED	
×	CHRISTOPHER SUGAR		JON R. MCKEAN	
×	CALCULATED-	DESIGNED BY	СНЕСКЕД ВҮ	
	FUNCTIONAL SUPERVISOR		JAMES D. RASMUSSEN	
×	DEPARTMENT OF TRANSPORTATION		03-DESIGN	
×	STATE OF CALIFORNIA -	:	للا المراجعة المراجع	

ABBREVIATIONS:

D DOWNDRAIN JOINT P POSITIVE JOINT

DRAINAGE QUANTITIES 

-																							
											B)	B)						(N)	(N)	(N)			
	AINAGE PLAN SHEET NO.	RAINAGE SYSTEM NO. 🔿	AINAGE UNIT	REMOVE CULVERT	REMOVE ENTRANCE TAPER	18" ENTRANCE TAPER	36" ALTERNATIVE PIPE CULVERT	36" ALTERNATIVE PIPE DOWNDRAIN	36" CORRUGATED STEEL PIPE (0.168" THICK)	36" ALTERNATIVE FLARED END SECTION	ROCK SLOPE PROTECTION (60 LB, CLASS II, METHOD	ROCK SLOPE PROTECTION (1/4 T, CLASS V, METHOD	GRAVEL FILTER	STRUCTURAL CONCRETE, HEADWALL	CABLE RAILING	MISCELLANEOUS IRON AND STEEL	36" ANCHOR ASSEMBLY	JOINT CLASSIFICATION	HEIGHT OF INLET	MAXIMUM COVER	DRAINAGE INLET MARKER	MARKER (CULVERT)	DESCRIPTION
	ā	ā	ā	ΕA	EA	ΕA	LF	LF	LF	EA	CY	CY	CY	CY	LF	LB	EA	TYPE	FT	FT	EA	EA	
-	1	1	a	1																			REMOVE 36" × 92.0' PP
			b											3.20	8							1	36" HW
			С				98.6											P		9.3			36" APC
			d						4.6							236			4.1		1		TYPE GMP DI, GRATE TYPE 3
			е				13.7													2.7			36" APC
			f					41.5										D					36" APDD
			g														2						
			h							1													
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			j										8.9										
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	1	3	а		1																		REMOVE ENTRANCE TAPER
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(N) - NOT A SEPARATE BID ITEM







NOTES:

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REVISED BY DATE REVISED

JAMES D. RASMUSSEN

JON R. MCKEAN

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 EXACT SIGN LOCATION TO BE DETERMINED BY THE ENGINEER.
 PLACE SIGNS C AND F WHEN TRAFFIC WILL DRIVE ON UNPAVED AREA AND TRAFFIC CONTROL SYSTEM IS NOT IN USE.

SIGN No. X	SIGN DESIGNATION	PANEL SIZE	SIGN MESSAGE	NUMBER OF POSTS AND SIZE	NUMBER OF SIGNS
А	C40 <ca></ca>	108" × 42"	TRAFFIC FINES DOUBLED IN CONSTRUCTION ZONES	2 - 6" × 6"	2
В	W20-1	36" × 36"	ROAD WORK AHEAD	1 - 4" × 6"	3
С	W8-3 C29 (CA)	36" × 36" 20" × 7"	PAVEMENT ENDS 1000 FT	1 - 4" × 6"	2
D	W11-1 W16-1P	36" × 36" 24" × 30"	BICYCLE SYMBOL SHARE THE ROAD	1 - 6" × 6"	2
E	G20-2	36" × 18"	END ROAD WORK	1 - 4" × 4"	3
F	W8-3 W13-1P	36" × 36" 24" × 24"	PAVEMENT ENDS 35 MPH	1 - 4" × 6"	2

## STATIONARY MOUNTED CONSTRUCTION AREA SIGNS

FOR ADDITIONAL CONSTRUCTION AREA SIGNS, SEE STAGE CONSTRUCTION SHEETS.















NOTE: THE COLOR OF THE MARKER BODY MUST BE THE SAME AS THE TRAFFIC LINE PLACED.

### PAVEMENT DELINEATION QUANTITIES

LOCATION	PAVEMENT MARKER (RETROFLECTIVE)		6" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)		THERMOPLASTIC PAVEMENT MARKING	(ENHANCED WET NIGHT VISIBILITΥ)	6" THERMOPLASTIC TRAFFIC STRIPE (EWNV) (BROKEN 12-3)	DELINEATOR	(CLASS 1)	RUMBLE STRIP HALT CONCRETE 'EMENT)	DESCRIP
	TYPE D	DETAIL 21	DETAIL 22	DETAIL 27B	STOP	LIMIT LINE	DETAIL 27C	TYPE E	TYPE F	12" I (ASP PAV	
	EA	LF	LF	LF	SQFT	SQFT	LF	ΕA	EA	STA	
M" 123+95.98 TO 135+07.01				1108	22	41		5	1	10.9	LIMIT LINE
DWY 5" 10+20.30 TO 11+12.00		177									
M" 123+95.98 TO 130+21.00	54		1240								
M" 130+52.00 TO 135+07.01	40		900								
M" 123+95.98 TO 127+58.00				362							
M" 132+72.00 TO 135+07.01				236							
M" 127+58.00 TO 132+72.00							518				
SUBTOTAL	94	177	2140	1706	22	41	518	5	1	10.9	
TOTAL	94		4023		6	3	518		6	10.9	

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION FUNCTIONAL		
	SUPERVISOR	CALCULATED-
G'UUUUG' 03-DESIGN JAMES D.	RASMUSSEN	СНЕСКЕД ВҮ

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REVISED BY DATE REVISED

SVETLA MITOVA JON R. MCKEAN

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<ul> <li>TO BE DETERMINED BY THE ENGINEER.</li> <li>2. POST LENGTHS GIVEN ARE APPROXIMAT</li> <li>3. "C" DIM = VERTICAL CLEARANCE EP TO</li> <li>4. ALL SIGN DESIGNATIONS SHOWN ARE F INDICATED AS A CALIFORNIA <ca> SIG</ca></li> <li>5. ALL BLACK SIGN PANEL LEGEND SHEET</li> </ul>	TE. D BOTTOM OF SIG				<del>-</del> -  
<ol> <li>2. POST LENGTHS GIVEN ARE APPROXIMAT</li> <li>3. "C" DIM = VERTICAL CLEARANCE EP TO</li> <li>4. ALL SIGN DESIGNATIONS SHOWN ARE F INDICATED AS A CALIFORNIA <ca> SIG</ca></li> <li>5. ALL BLACK SIGN PANEL LEGEND SHEET</li> </ol>	E. D BOTTOM OF SIG				
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	GN DESIGNATION. TING SHALL BE N	NON-REFLECT	IVE.		
			-	ROAD	SIE
		SIGN NUMBER	SIGN DESIGNATION	PANEL SIZE	FEET
-		SHI-NO.		INCHES	₽Ľ
		1 - 1	W2-2R	36 X 36	5
		1-2	G08-22(CA)	84 X 30	5
		1-3	R1-1	30 × 30	5
		1 - 4	G08-22(CA)		
		1-5	W2-2R		
		1-6	R1-1		
		1 - 7	S32 (CA) S32A (CA) S32B (CA) S32-1 (CA)		
_		1-8	SG28 (CA)		
		1-9	SG (CA)		
				1	
	[			ROADSID	E :
	SIGN				P
	DESIGNAT	ION	SIGN MESSAGE/DES	SCRIPTION	
					IN
	R1-1		STOP		
	W2-2R		SIDE ROAD (R	T)	36
	G08-22(C	A)	NAVARRO RIDGE /	ROAD	84
		10 000 11 000 12 000 1000 100 1	an       (SHT-No)         1-1       1-2         1-3       1-4         1-5       1-6         1-7       1-8         1-9       1-9         SIGN       DESIGNATION         R1-1       W2-2R         C08-22(CA)       0	3       (SHT-NO)         1-1       W2-2R         1-2       CO8-22(CA)         1-3       R1-1         1-4       CO8-22(CA)         1-5       W2-2R         1-6       R1-1         1-7       S322 (CA)         S32+1 (CA)         1-8       SG28 (CA)         1-9       SG (CA)         1-9       SG (CA)         1-9       SG (CA)         1-9       SIGN MESSAGE/DES         R1-1       STOP         W2-2R       SIDE ROAD (R         G08-22(CA)       NAVARRO RIDGE /	S         INCHES           1-1         W2-2R         36 × 36           1-2         C08-22(CA)         84 × 30           1-3         R1-1         30 × 30           1-4         G08-22(CA)         1-3           1-5         W2-2R         1           1-6         R1-1         1           1-7         S32(CA)         1           1-8         SC28(CA)         1           1-9         SG (CA)         1           1-9         SIGN MESSAGE / DESCRIPTION         RO AD SID           R1-1         STOP         W2-2R         SIDE ROAD (RT)           G08-22(CA)         NAVARRO RIDGE / ROAD         NAVARRO RIDGE / ROAD

BORDER LAST REVISED 7/2/2010

\_EGEND:

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	L D	=	LENGTH OF PANEL DEPTH OF PANEL

### ROADSIDE SIGN QUANTITIES

		PANEL ST		POST SIZE	ROADSII	DE SIGN	RESET	REMOVE ROADSIDE	TREAT
	SIGN DESIGNATION			AND LENGTH	ONE POST	TWO POST	SIGN	SIGN	WAST
SHI-NO.		INCHES	- <sup>2</sup> Z	4"×4"	EA	EA	EA	EA	LB
1 – 1	W2-2R	36 X 36	5	14.5′	1				
1-2	G08-22(CA)	84 X 30	5	14′		1			
1-3	R1-1	30 × 30	5	13′	1				
1-4	G08-22(CA)							1	107
1-5	W2-2R							1	56
1-6	R1-1							1	50
1 – 7	S32 (CA) S32A (CA) S32B (CA) S32-1 (CA)						1		
1-8	SG28 (CA)						1		
1-9	SG (CA)						1		
			-	TOTAL	2	1	3	3	213

## **ROADSIDE SIGN PANEL QUANTITIES**

	SIGN MESSAGE/DESCRIPTION			S	BACKG	ROUND	LEGE	END	AΥ	
SIGN DESIGNATION		PANEL SIZE L × D	PANEL AREA	R OF PANEL	ETING DLOR	EFLECTIVE A TYPE	ETING DLOR	EFLECTIVE A TYPE	TIVE-OVERL (PREMIUM)	FURNISH SING ALUMINUM
				NUMBE	E HS	ORE	SHE	RETRORE ASTN	PROTEC FILM	UNFRAI
					07	ETR				0.06
		INCHES	SQFT			£				SQF
R1-1	STOP	30	5.18	1	RED	XI	WHITE RED	XI	x	5.18
W2-2R	SIDE ROAD (RT)	36 X 36	9.00	1	YELLOW	XI	BLACK YELLOW	XI	x	9.00
G08-22(CA)	NAVARRO RIDGE / ROAD	84 X 30	17.50	1	GREEN	XI	WHITE GREEN	×I	x	17.5
								Т	OTAL	31.6



× REVISED В≺ REVISED DATE × MCKEAN MITOVA ų. SVETLA NOL CALCULATED-DESIGNED BY μ CHECKED × RASMUSSEN JAMES D. JNC T I ONAL DEPARTMENT OF TRANSPORTATION х 03-DESIGN × CAL IF ORNIA ë altar STATE OF

### GEOSYNTHETIC REINFORCED EMBANKMENT

	GEOSYNTHETIC REINFORCED	ROADWAY	FMBANKMENT	(N) GEOGRID		CLASS 1 PERMEABLE	CLASS 3 PERMEABLE	FILTER FABR	
STATION	EMBANKMENT	EXCAVATION		BIAXIAL	UNIAXIAL	MAIERIAL (BLANKEI)	MATERIAL (BLANKET)	(CLASS C)	
	CY	CY	CY	SQYD	SQYD	CY	CY	SQYD	
"M" 128+00 TO 129+20	1278	1521×	441×	206	1289	210	201	1316	
QUANTITY INCLUDED IN ROADWA	Y QUANTITIES								

### ROADWAY QUANTITIES SUMMARY TABLE

STAGE	LOCATION	OBLITERATE SURFACING	ROADWAY EXCAVATION	SUBGRADE ENHANCEMENT GEOTEXTILE,CLASS B2	EMBANKMENT 2	CLASS 2 AGGREGATE BASE	(TYPE A)	GEOSYNTHETIC PAVEMENT INTERLAYER (PAVING FABRIC)	TACK COAT	PAVING INTERLAYER)	CONCRETE PAVEMENT	- PLACE HOT MIX ASPHALT DIKE (TYPE F)	- FENCE (TYPE BW, METAL POST)	REMOVE FENCE (TYPE BW)
		SQYD		SQYD	CY		I ON	SQYD	ION	ION	SQYD		LF	L
1	M 123+96 10 135+07		387	446	216	197	826.3	242	1.0	1.0	131			
	47.71'R+, "M" 130+63.30 10	49												
2	"M" 123+96 TO 135+07		259	612	634	327	471.3	75	0.7	0.2	38	601		
2	"M" 128+00 TO 129+20		1521		441									
3	"M" 123+96 TO 135+07						525.8				160		166	ç
	HMA DIKE						8.0							
	TAPERED EDGE	<u> </u>					8.0							
	TOTAL	49	2167	1058	1291	524	1839.4	317	1.7	1.2	329	601	166	9



	SHEET No.	L+/R+	STATION	TEMPORARY HI VISIBILITY FE
				LF
ſ	L-1	R†	"M" 125+68.42 TO 126+51.42	83
	L-1	R†	"M" 129+61.09 TO 130+11.83	65
	L-1	R†	"M" 130+56.32 TO 132+29.79	219
[			TOTAL	367

ORDER	AST REVISED 7/2/2010	USERNAME =>s148600 DGN FILE => 0115000048pa001.dgn	RELATIVE BORDER SCALE IS IN INCHES	UNIT 0306	

## LEGEND:



EROSION CONTROL (TYPE 1)

EROSION CONTROL (SOIL FLAP)

RECP (NETTING)

**FIBER ROLLS** 

VVVVV CS V COMPOST SOCK

	EROSION	CONTROL	(TYPE 1)			
		MATER	MATERIAL			
SEQUENCE		DESCRIPTION	TYPE	RATE		
STEP 1	HYDRAULIC	SEED	SEED MIX	44 LB/AC		
	MEDIUM	HBGM		3000 LB/ACRE		
STEP 2	FIBER REINFORCED MATRIX	FRM		2500 LB/ACRE		

## EROSION CONTROL (SOIL FLAP)

	ITEM		MATERIAL		APPLICATION	DEMADKS
SEQUENCE		DESCRIPTION	TYPE	FASTENER	RATE	REMARKS
STEP 1	IMPORTED TOPSOIL	TOPSOIL			270 CY/AC	2" DEPTH
STEP 2	RECP (NETTING)	COIR NETTING	А	12", 11-GAUGE STEEL STAPLE		SEE DETAIL
STED 3	HYDRAULIC	SEED	SEED MIX		44 LB/AC	
SILF J	MEDIUM	HBGM			2500 LB/ACRE	
STEP 4	FIBER REINFORCED MATRIX	FRM			2500 LB/ACRE	

## FIBER ROLLS

	TTEM	MATEF	MATERIAL				
SEQUENCE		DESCRIPTION	TYPE				
INSTALL BEFORE EC (TYPE 1)	FIBER ROLLS	FIBER ROLL	8" TO 10" Dia	TYPE 1 INSTALLATION			

## COMPOST SOCK

	ITEM	MATEF	RIAL	DEMARKS
SEQUENCE		DESCRIPTION	TYPE	
INSTALL BEFORE EC (TYPE 1)	COMPOST SOCK	COMPOST FILLED BIODEGRADEABLE TUBE	12" Dia	PLACE SOCK AT TOE OF SLOPE. INSTALL STAKE ADJACENT TO BOTTOM EDGE OF SOCK.

×					
		REVISED BY		DATE REVISED	
×	000048†c001.dgn	PHI ORA BARBASH			
×	ted/DGNs/2021-0727/0115	CALCULATED-	DESIGNED BY	CHECKED BY	
	.1_Phase\01_Plans\95% Review\Submit	FUNCTIONAL SUPERVISOR		TIMOTHY L. BOESE	
×	BY_EAs\01-0E940 MEN 1 Navarro Drainage\	DEPARTMENT OF TRANSPORTATION		NDSCAPE ARCHITECTURE	
×	S: \CADD\Landscape_Arch\PR0JECT_t	STATE OF CALIFORNIA - D		ste atrans « LAN	

## ABBREVIATIONS:

FRM	FIBER REINFORCED	MATRIX	
HBGM	HYDRAULIC BIOTIC	GROWTH	MEDIUM

## 

BOTANICAL NAME (COMMON NAME)	PERCENT GERMINATION (MINIMUM)	POUNDS PURE LIVE SEED PER ACRE (SLOPE MEASUREMENT)
ACHILLEA MILLEFOLIUM (COMMON YARROW)	55	0.5
ACMISPON AMERICANUS (SPANISH CLOVER)	55	3.0
ARTEMISIA DOUGLASIANA (CALIFORNIA MUGWORT)	20	1.0
BROMUS CARINATUS (CALIFORNIA BROME)	75	17.0
DANTHONIA CALIFORNICA (CALIFORNIA OATGRASS)	60	11.0
ERIOPHYLLUM STAECHADIFOLIUM (SEASIDE WOOLLY SUNFLOWER)	25	2.0
FESTUCA MICROSTACHYS (SMALL FESCUE)	50	4.0
FESTUCA RUBRA (RED FESCUE)	55	5.0
MIMULUS AURANTIACUS (STICKY MONKEY FLOWER)	30	0.5

0

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
01	Men	1	42.3/42.5		
LIC PLA	ENSED LAN	IDSCAPE ARC	CHITECT	NDSCAPE License Signature	ABCHITECT -
THE OR A THE COPIL	STATE OF CA GENTS SHALL ACCURACY OR ES OF THIS P	LIFORNIA OR II NOT BE RESPO COMPLETENESS PLAN SHEET.	TS OFFICERS	Date OF (ALLE	ORNIA

## SEED MIX



21 DATE PLOTTED =>

27



RELATIVE BORDER SCALE IS IN INCHES	0	1	2	3	UNIT 0314



IS IN INCHES UNIT 0314
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× \Landscape_Arch\PR0JECT_BY_EAs\01-0E940 MEN 1 Navarro Drainage\1_Phase\01_Plans\95% F

# EROSION CONTROL QUANTITIES

EC SHEET	LINE	DIRECTION	DESCRIPTION	DER REINFORCED MATRIX	A HYDRAULIC BIOTIC GROWTH MEDIUM	FIBER ROLLS	COMPOST SOCK	C IMPORTED TOPSOIL	S ROLLED EROSION CONTROL PRODUCT (NETTING)		MOVE-IN/MOVE-OUT (EROSION CONTROL)
	M		FC (TYPE 1)	21,430	21,430					-	
	M		FIBER ROLLS			2070				L	· ·
	M	LT	COMPOST SOCK				290				
1	М	LT	EC (SOIL FLAP)	2990	2990			18.53	7390		
	М	LT	RECP (NETTING)						260		
	М	RT	EC (TYPE 1)	5820	5820						
	М	RT	FIBER ROLLS			700					
	М	RT	RECP (NETTING)						160		
			TOTAL	30,240	30,240	2770	290	18.53	7810		

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT No. SHEETS		
01	Men	1	42.3/42.5		
LICENSED LANDSCAPE ARCHITECT					
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.					





Photo 1: Navarro Drainage standing on SR 1 looking west at the outlet. Photo taken 5/30/17.



<u>Photo 2:</u> Navarro Drainage standing on the south bank of the channel on the outlet side looking northeast at SR 1 and adjacent driveway. Photo taken 5/30/17.

Exhibit 5 – Photos of Project Site Appeal No. A-1-MEN-22-0016 (Caltrans) Navarro Drainage Project Page 1 of 4



Photo 3: Close-up view of the outlet of Navarro drainage. Photo taken 11/16/17.

Exhibit 5 – Photos of Project Site Appeal No. A-1-MEN-22-0016 (Caltrans) Navarro Drainage Project Page 2 of 4



<u>Photo 4:</u> Navarro Drainage at the inlet looking east from SR 1 where OW-1 converges with Navarro Drainage. Photo taken 5/30/18.



<u>Photo 5:</u> Photo taken from Navarro Ridge Road looking north at OW-3 in the pullout on the northeast side of the project area. Photo taken 5/30/17.

Exhibit 5 – Photos of Project Site Appeal No. A-1-MEN-22-0016 (Caltrans) Navarro Drainage Project Page 3 of 4



<u>Photo 6:</u> Photo of the wetland and small-fruited bulrush alliance looking northeast from SR 1, north of the inlet of Navarro Drainage. Photo taken 5/30/18.

Exhibit 5 – Photos of Project Site Appeal No. A-1-MEN-22-0016 (Caltrans) Navarro Drainage Project Page 4 of 4



## COUNTY OF MENDOCINO DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 North Bush Street · Ukiah · California · 95482 120 West Fir Street · Fort Bragg · California · 95437

April 6, 2022

### NOTICE OF FINAL ACTION

Action has been completed by the County of Mendocino on the below described project located within the Coastal Zone.

CASE#: CDP\_2019-0034 DATE FILED: 8/30/2019 OWNER/APPLICANT: CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) AGENT: FRANK DEMLING REQUEST: Standard Coastal Development Permit to upgrade and repair approximately 0.1 miles of State Route (SR) 1 by relocating the drainage system to the natural channel, repairing failed roadway embankment side-slopes and the embankment adjacent to an existing private driveway, improving the roadway geometry and increase the roadway travel lanes to 12 feet wide each and increasing paved shoulders to 4 feet wide within the project limits. ENVIRONMENTAL DETERMINATION: Categorically Exempt, SCH 2019-038512. LOCATION: Within the Coastal Zone along State Route 1 near its intersection with Navarro Ridge Road (County Road 518), between post miles 42.35 and 42.45. SUPERVISORIAL DISTRICT: 5 STAFF PLANNER: JULIA KROG

ACTION TAKEN: APPROVED WITH CONDITIONS

The Coastal Permit Administrator, on November 17, 2021, approved the above described project. See attached documents for the findings and conditions in support of this decision.

The above project was appealed to the Mendocino County Board of Supervisors on November 29, 2021. On April 5, 2022 the Mendocino County Board of Supervisors held a Noticed Public Hearing to consider the appeal, where they unanimously voted to uphold the Coastal Permit Administrator approval of the project.

This project is appealable to the Coastal Commission pursuant to Public Resources Code, Section 30603. An aggrieved person may appeal this decision to the Coastal Commission within 10 working days following Coastal Commission receipt of this notice. Appeals must be in writing to the appropriate Coastal Commission district office.

Attachments

cc: Coastal Commission Assessor



## COASTAL PERMIT ADMINISTRATOR STAFF REPORT – STANDARD CDP

## NOVEMBER 17, 2021 CDP\_2019-0034

5	SUMMARY
OWNER/APPLICANT:	CALIFORNIA DEPARTMENT OF TRANSPORTATION 1656 UNION ST EUREKA, CA 95501
AGENT:	FRANK DEMLING 1656 UNION ST EUREKA, CA 95501
REQUEST:	Standard Coastal Development Permit to upgrade and repair approximately 0.1 miles of State Route (SR) 1 by relocating the drainage system to the natural channel, repairing failed roadway embankment side-slopes and the embankment adjacent to an existing private driveway, improving the roadway geometry and increase the roadway travel lanes to 12-feet wide each and increasing paved shoulders to 4-feet wide within the project limits.
LOCATION:	Within the Coastal Zone along SR1 near its intersection with Navarro Ridge Road (County Road 518), between postmiles 42.35 and 42.45.
TOTAL ACREAGE:	1.61 acres (total disturbed area)
GENERAL PLAN:	Rural Residential, five acre minimum parcel size (RR5), and Remote Residential, forty acre minimum parcel size (RMR40), and right-of-way (ROW)
ZONING:	Rural Residential, five acre minimum parcel size (RR5), and Remote Residential, forty acre minimum parcel size (RMR40), and right-of-way (ROW)
SUPERVISORIAL DISTRICT:	5 - Williams
ENVIRONMENTAL DETERMINATION:	Class 1(D) Categorically Exempt (Caltrans as Lead Agency), Notice of Exemption (SCH 2019-038512)
APPEALABLE AREA:	Yes – Highly Scenic Area and west of first public road
RECOMMENDATION:	Approve with Conditions
STAFF PLANNER:	JULIA KROG and SCOTT PERKINS (SHN)

#### BACKGROUND

#### PROJECT DESCRIPTION:

The project would upgrade and repair approximately 0.1 miles of State Route (SR) 1 by relocating the drainage system that passes under the roadway to the natural channel, repairing failed roadway embankment side-slopes and the embankment adjacent to an existing private driveway, improving the roadway geometry and increase the roadway travel lanes to 12 feet wide each and increasing paved shoulders to 4 feet wide within the project limits.

The existing culvert would be removed, and a new 36-inch diameter Alternative Pipe Culvert (APC) would be installed connecting to a drainage inlet set at the back of an 8-foot bench and extending to a daylight point on the reconstructed fill slope connecting to a 36-inch down-drain with a 36-inch anchor assembly. The culvert inlet would remain in the same place and the outlet would be relocated approximately 30 feet to the south for better alignment with the natural channel requiring approximately 30 feet of the existing channel to be filled. A 28-foot by 9-foot rock energy dissipater would be installed at the outlet. A temporary clearwater diversion may be necessary when installing the new culvert depending on the time of year and amount of water present in the natural channel. Either a temporary pipe would be installed for diversion or, depending on how much flow is in the creek, the contractor may elect to discharge water to upland areas.

The roadway embankment side-slopes and the embankment of a private driveway would be repaired and revegetated. Roadway embankment would incorporate geosynthetic reinforced embankment and require approximately 200 CY of import borrow. Disturbed Soil Area (DSA) for this project is estimated at 1.61 acres. Existing impervious area within the project construction limits is 1.04 acres, which consists of the existing paved roadway. After construction of the widened roadway surfaces, the post-project impervious area is proposed to be 1.10 acres. Existing vegetation will be preserved to the maximum extent practicable and in accordance with existing environmental permits and agreements. Environmentally Sensitive Habitat Areas (ESHA) are delineated on the project plans with temporary high-visibility fencing (THVF). THVF fencing will be included in the contract plans to indicate areas that are off-limits to the contractor. Contractor will access will be from SR1, southeast of failed fill slope, near postmile 42.35. A 12-inch Corrugated Steel Pipe (CSP) and drain inlet would be removed and the existing ditch would be regraded near the removed inlet so that the runoff is directed towards the new embankment slope and down to the rock slope protection (RSP). This path will be lined with rock to prevent erosion. A 170-foot section of barbed wire (3-Strand Wire and Wire Mesh, Metal Post) right of way fencing in the erosion area would be reconstructed. Displaced RSP within the proposed temporary construction easement that had been previously placed along the bank of the stream channel to buttress the roadway embankment sideslopes and the embankment of a private driveway would be removed. Construction of the new roadway shoulders would include excavation of existing material and placement of a new pavement structural section.

Pacific Gas and Electric company (PG&E) and American Telephone and Telegraph Company (AT&T) have existing utilities within the project limits which will be permanently relocated from the west side of SR1 to the east side of SR1. Three tree stumps are to be removed on State right-of-way, two tree stumps are to be removed on Temporary Construction Easement (TCE) and three wax myrtle trees would be removed within the permanent drainage easement.

The anticipated traffic control measures are reversing traffic control, moving lane closure, and shoulder closure. One lane closure is permitted within the project limits. A minimum of 12 feet of paved roadway must be open for use by public traffic. Bicyclists shall be accommodated through the work zone. Signage shall be used to alert vehicles of the possible presence of bicyclists. The estimated maximum delay during one-way reversing traffic control will be 5 minutes. Access to side roads and residences will be maintained during construction. Construction staging will be in turnouts on the east and west sides of SR1 within the right-of-way at approximate postmiles 42.35 to 42.45.

Additional items within the project scope include improvement of superelevation, restriping, installation of edgeline and centerline rumble strips, and dike replacement.

<u>APPLICANT'S STATEMENT:</u> Please find the complete Applicant's Statement attached (Applicant's Statement).

**<u>RELATED APPLICATIONS</u>**: There are no related applications on-site. Caltrans has a pending application for a Coastal Development Permit for safety improvements to SR1 south of this project's boundary (CDP 2019-0024).

**SITE CHARACTERISTICS:** The project site is located along SR1 south of Albion and north of the Navarro River (see attached *Location Map*). The project would occur between PM 41.30 and 42.50 within the public right-of-way and within temporary construction easements (see attached *Aerial Imagery* and *Topographic Map*). The zoning district and General Plan classification is Rural Residential to the east of SR1 and Remote Residential to the west of SR1. The project site is entirely within the California Coastal Zone (see attached *LCP Land Use Map 19: Navarro*). "Rare Plants" are indicated as present southwest of the project, wetlands are present to the north, and a riverine feature runs under the roadway within the project scope (see attached *LCP Habitats & Resources,* and *Wetlands*). Surrounding properties are within the Albion-Little River Fire Protection District (see attached *Fire Hazard Zones & Responsibility Areas*). Soil type is Western Classification 139 for the eastern portion of the project and Western Classification 145 for the western portion (see attached *Soil Classifications*). All lands east and portions of the lands west of the project are designated "Highly Scenic," and all lands west of the project are within a "Tree Removal Area," (see attached *Highly Scenic and Tree Removal Areas*). Parcels southwest of the project are under Mendocino Land Trust ownership. Other adjacent parcels are owned by numerous different individuals (see *Adjacent Parcels*).

	GENERAL PLAN	ZONING	LOT SIZES	USES
			(approx. acres)	
NORTH	Rural Residential, Planned	Rural Residential, Planned	12.52, 103.5	Rural residential
	Development (RR 5-PD),	Development (RR 5-PD),		
	Range Land (RL160)	Range Land (RL160)		
EAST	Rural Residential, Planned	Rural Residential, Planned	5.00	Rural residential
	Development (RR 5-PD),	Development (RR 5-PD),		
	Range Land (RL160)	Range Land (RL160)		
SOUTH	Rural Residential, Planned	Rural Residential, Planned	13.00, 15.07	Rural residential
	Development (RR 5-PD),	Development (RR 5-PD),		
	Remote Residential (RMR	Remote Residential (RMR		
	40)	40)		
WEST	Rural Residential, Planned	Rural Residential, Planned	4.50, 5.66, 5.00,	Rural residential
	Development (RR 5-PD),	Development (RR 5-PD),	6.00	
	Remote Residential (RMR	Remote Residential (RMR		
	40)	40)		

#### SURROUNDING LAND USE AND ZONING:

#### PUBLIC SERVICES:

Access:State Route 1 (State)Fire District:Albion Little River Fire Protection DistrictWater District:NoneSewer District:NoneSchool District:Mendocino Unified School District

<u>AGENCY COMMENTS</u>: On August 2, 2021, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the project. Their submitted recommended conditions of approval

are contained at the conclusion of this report. A summary of the submitted agency comments is listed below. Any comment that would trigger a project modification, conditions of approval, or denial are discussed in full as key issues in this report.

REFERRAL AGENCIES	COMMENT
Department of Transportation	No comment
Environmental Health	No response
Building Inspection	No comment
Mendocino Land Trust	No response
Assessor	No response
Agriculture Commissioner	No comment
Air Quality Management District	Comments
Archaeological Commission	Comments
Sonoma State University NWIC	Comments
Resource Lands Protection Comm.	No comment
Native Plant Society	No response
Caltrans	No response
Calfire – Resource Management	No response
Calfire – Land Use	No response
CA Department of Fish and Wildlife	Comments
Coastal Commission	No response
California Highway Patrol	No response
Reg. Water Quality Control Board	No response
Sierra Club	No response
US Fish and Wildlife Service	No response
Cloverdale Rancheria	No response
Redwood Valley Rancheria	No response
Sherwood Valley Band of Pomo	No response
Mendocino Transit Authority	No response
County Addresser	No comment
Albion – Little River Fire District	No response

Land Use/Zoning: The project falls mostly within the SR1 right-of-way, with limited project elements on adjacent lands under either Rural Residential or Remote Residential General Plan designations and Zoning districts. The subject lands are presently developed with an existing two-lane travel way with appurtenant highway support infrastructure, including drainage facilities. The proposed project would widen the roadway and improve the drainage facilities associated with the highway to protect the roadway from erosion and instability, as described in the Applicant's Statement. The project is consistent with the purpose of the public right-of-way and with the continuance of SR1 as a two-lane roadway.

<u>Habitats and Natural Resources:</u> Caltrans submitted several resource studies evaluating the project's potential to affect habitats and natural resources, potential measures to limit the project's impacts on these resources, as well as the project's consistency with the Environmentally Sensitive Habitat Area (ESHA) standards in County Code. The following documents supplied the information contained in this analysis:

- 1. Natural Environment Study, July 2019
- 2. ESHA Assessment, July 2019
- 3. Navarro Drainage Report of [ESHA] Compliance, November 12, 2020
- 4. Revegetation Plan for the Navarro Drainage Project, May 2020, revised February 2021

Studies were conducted within the project area and within a 100-foot buffer around the project. The following ESHAs were identified (see also attached *ESHA Map*):

ESHA 1 (W-1)	
Description of ESHA:	ESHA 1 (W-1) is a 0.029-acre (1,263 SF) three-parameter wetland with an associated Small-fruited Bulrush Alliance. The area had two inches of surface water at the time of wetland delineation (June 2017), and is connected to a small perennial stream that flows south to join Navarro Drainage at the inlet of the culvert.
Buffer:	It is anticipated that construction activities would occur immediately adjacent to the ESHA. A buffer is not feasible at this location since the existing roadway is within 100 feet of the ESHA.
Description of Activities:	The biological resource studies provided with the application conclude that no impact to this ESHA is expected. Avoidance and minimization measures include utilization of High Visibility Fencing (HVF), post construction revegetation, and implementation of BMPs prescribed in Section 1.3 of the <i>ESHA</i> Assessment.
ESHA 2 (OW-1)	
Description of ESHA:	ESHA 2 (CW-1) is a small drainage that drains from the 0.029-acre pocket wetland (ESHA 1, W-1). It is approximately 54 feet long by 2 feet wide, or approximately 0.002 acres (108 square feet).
Buffer:	Work would occur within this ESHA and temporary impacts are anticipated. A buffer is not feasible at this location since the ESHA overlaps with the construction footprint associated with the project.
Description of Activities:	The biological resource studies provided with the application conclude that impacts to this ESHA would be temporary and associated with construction activities. Approximately 15 linear feet of the ESHA would be impacted, for a total impact area of 30 square feet. Vegetation lost during construction would be replaced and replanted as outlined in the revegetation plan.
ESHA 3 (OW-1)	
Description of ESHA:	ESHA 3 (OW-1) is the main drainage called "Navarro Drainage" and approximately 642 linear feet occurs within the biological study area. The drainage is approximately 3 feet wide for a total of 0.044 acres. The drainage has a deeply incised channel.
Buffer:	Work would occur within this ESHA and a buffer is not feasible.
Description of Activities:	Impacts to approximately 105 linear feet (or 0.007 acres) are associated with rerouting the existing stream at the outlet, moving the culvert outlet to the south, and placing RSP at the outlet. Temporary impacts include 106 linear feet of culverted waters that would be rerouted, plus approximately 15 linear feet associated with construction activities at the outlet. The <i>ESHA Assessment</i> concludes that the project does not have "potential to negatively impact the long-term maintenance of the habitat." Vegetation lost during construction would be replaced and replanted as outlined in the revegetation plan.
ESHA 4 (OW-3)	
Description of ESHA:	ESHA 4 (W-2) is a small drainage along the east side of the gravel pullout at the north side of the survey area. This area may be used as a

staging area. The drainage is approximately 200 feet long and 2 feet wide, or approximately 0.009 acres.

- Buffer: This ESHA is located adjacent to a potential staging area making a buffer infeasible.
- Description of Activities: The biological resource studies provided with the application conclude that there would not be an impact to this ESHA with implementation of the avoidance measures described in the *ESHA Assessment,* including use of HVF along the boundaries of the ESHA.

In addition to the ESHAs described above, the survey identified Bishop pines near the project. Bishop Pine Forest Alliance is considered an ESHA; however, the study determined that the existing Bishop pines are mixed with non-native Monterey Pines and were planted as a visual break by an adjacent landowner. As a result, the study concluded that the Bishop pines were not considered ESHA.

Additionally, a sighting of an American Peregrine Falcon by a Caltrans biologist occurred in November 2017. The study determined that nesting habitat for the falcon does not exist within the 100-foot survey area.

Host habitat for Behren's silverspot butterfly was observed in the study area. Caltrans hired Entomological Consulting Services, Ltd. to survey for the butterfly. The butterfly was not observed, suggesting that they do not utilize this habitat.

MCC Section 20.496 applies to development proximate to ESHA. Specifically, this code section includes standards for determining the appropriate width of an ESHA buffer when 100 feet cannot be maintained. Additionally, the code includes standards for development that is proposed within ESHA buffers. Caltrans submitted a Reduced Buffer Analysis as part of the *ESHA Assessment*, as supplemented by the *ESHA Report of Compliance*.

*Buffer Widths:* The *ESHA Assessment* specifically addresses the standards in County code for reducing buffers to less than 100 feet. The Reduced Buffer Analysis concludes that "with standard avoidance and minimization measures...the development would have minimal to no permanent impacts and is consistent with Section 20.496.035 of the Mendocino County Coastal Zoning Code."

Work would occur within ESHA 2 and ESHA 3, and work would occur directly adjacent to ESHA 1 and ESHA 4 resulting in no buffers from the four ESHAs. The Reduced Buffer Analysis addresses the MCC requirements for development permitted within buffer areas (MCC Section 20.496.020(A)(4)), concluding that the proposed work is compatible with the continuance of the habitat by maintaining its functional capacity. Specifically, the report states that the project would result in an "overall improvement" of the drainage feature by realigning it with its natural channel.

Additionally, the report concludes that the work would be conducted within or adjacent to the existing roadway, making the proposed alternative the least environmentally damaging option. The proposed project would not interfere with the hydrologic processes or biological diversity upon completion of the proposed construction.

*Work Within ESHA:* MCC Section 20.496 specifies the types of development that can occur within certain ESHA types. The proposed project would require work within "other waters" and immediately adjacent to wetland. MCC Section 20.496 permits "pipelines, utility lines and road and trail crossings when no less environmentally damaging alternative route is feasible" within riparian and wetland ESHA. The proposed roadway and drainage repairs are within or adjacent to the existing roadway, and the *ESHA Assessment* asserts that no less environmentally damaging alternative route is feasible. As a result, the project is consistent with the limited development allowances within or adjacent to wetland and "other water" ESHAs.

Avoidance and Minimization Measures: As described above, Caltrans is proposing various avoidance and minimization measures to ensure the protection of ESHA. In summary, the application documents include the following recommendations:

1. *ESHA Assessment*. Section 1.3 and Section 3.5 include standard measures, best management practices (BMPs) and avoidance and minimization efforts. Section 1.3 recommends BMPs to protect water quality, wetlands and other waters, natural communities, and animal species, and include measures to limit the spread of invasive species. Section 3.5 recommends revegetation measures to address temporary impacts to ESHA.

Section 1.2 of the document describes additional measures to protect ESHA, including recommendations for HVF around ESHA. Section 1.2 also recommends measures for compliance with the Migratory Bird Treaty Act, such as limiting vegetation clearing during non-breeding seasons, or requiring nesting bird surveys within one week of clearing.

- 2. *Natural Environment Study.* Section 1.4 includes BMPs to protect water quality, wetlands and other waters, natural communities, and animal species, and include measures to limit the spread of invasive species.
- 3. *Revegetation Plan.* Sections 4 through 8 include revegetation goals; a summary of revegetation activities; an implementation and maintenance schedule; monitoring methods, criteria and reporting requirements; and remedial measures. These approaches to revegetation are proposed to implement the BMPs described in the other resource documents, and to ensure consistency with County code policies regarding development in ESHA.

The project and supporting documentation were supplied to California Department of Fish and Wildlife (CDFW) for review and concurrence. MCC Section 20.496.020(A)(1) requires that CDFW concur that a 100-foot buffer is not necessary to protect site-specific resources from possible significant disruption. On September 10, 2021, CDFW Senior Environmental Scientist Jennifer Olson responded that the comment on the project was that a revegetation and monitoring plan, which was recommended by the *ESHA Assessment*, be revised to ensure that revegetation has 100% success criteria for new plantings.

On October 4, 2021, Caltrans supplied the County and CDFW with a revised *Revegetation Plan* with 100% success criteria for new plantings at Year 5. The document was referred to CDFW for review, and Ms. Olson responded that CDFW has no further comments or concerns related to the revegetation plan.

Special Condition 11 ensures the project is implemented consistent with the various mitigations and recommendations outlined in the resource documents and summarized above.

<u>Public Access</u>: The proposed project is located on SR1, a public roadway with pullouts providing public views to the sea. Caltrans provided the following information related to the public access of the roadway during construction:

The anticipated traffic control measures are reversing traffic control, moving lane closure, and shoulder closure. One lane closure is permitted within the project limits. A minimum of 12 feet of paved roadway must be open for use by public traffic. Bicyclists shall be accommodated through the work zone. Signage shall be used to alert vehicles of the possible presence of bicyclists. The estimated maximum delay during one-way reversing traffic control will be 5 minutes. Access to side roads and residences will be maintained during construction. Construction staging will be in turnouts on the east and west sides of State Highway 1 within the State Right of Way at approximate postmiles MEN-001-42.35 to 42.45.

As a result, the project will have temporary impacts to public access along SR1. There would be no permanent impacts to circulation.

MCC Section 20.528.010 requires that offers to dedicate easements for public access shall be recorded prior to issuance of a CDP in areas identified in Chapter 4 of the Coastal Element unless required public access has otherwise been secured. Chapter 4.9 of the Coastal Element addresses public access requirements in this subarea, defined as between Dark Gulch and the Navarro River. Chapter 4.9 requires a "blufftop trail along the Navarro Headlands west of Navarro Ridge Road." This required access is currently provided with the existing public access at Navarro Point Preserve, which will be maintained during and after completion of the proposed project.

<u>Hazards Management</u>: The proposed project is exempt from CalFire requirements and will not result in an increased fire danger in any of the project locations. The proposed traffic management measures will ensure access through the work site is maintained for emergency vehicles. There are no other potential hazards associated with the proposed project.

<u>Grading, Erosion, and Run Off</u>: Grading will be required to perform the road widening work, and Caltrans has provided the following information relative to the cut and fill requirements.

CUT (CY)	FILL (CY)	IMPORT (CY)	EXPORT (CY)
463.7	242.3	0	221.4

The project will result in a total export of 221.4 cubic yards of material. The applicant states that excess fill material will be hauled and disposed of by the construction contractor. This is standard Caltrans practice where the contractor becomes the owner of the material and is responsible for appropriate disposal at an authorized site with its own environmental clearance. The contractor is required to provide proof of compliance to the Caltrans Resident Engineer (RE) prior to construction close out. The assurance of appropriate export disposal is identified in Caltrans Specifications and construction contract documents and the contractor is required to furnish proof of compliance, which shall be provided to the County in addition to the Caltrans RE, as recommended in Condition 9.

Erosion control planting will be implemented across the project area once construction is completed. Additional revegetation efforts will be implemented consistent with the submitted *Revegetation Plan*. A permanent erosion control seed mix, comprising regionally-appropriate native species and a non-persistent annual grass (i.e., common barley, Hordeum vulgare), would be hydroseeded in bare soil areas at the end of construction consistent with the Plan Set (sheets ECL-1, EC-1, and ECQ-1).

<u>Archaeological/Cultural Resources</u>: Caltrans prepared an Archaeological Survey Report (ASR) for the project area in January 2018. The report was provided to Mendocino County and to Sonoma State University's Northwest Information Center (NWIC) for review. The ASR concludes that "as a result of the background research, literature review and pedestrian survey, no new or previously identified cultural resources are present within the Area of Potential Effect...[and] the project has no potential to affect historic properties."

On August 30, 2021, NWIC responded that after reviewing the available documentation provided for this project and for other projects in the area that no additional studies were warranted. NWIC did provide recommended conditions of approval to be included with any approved Coastal Development Permit. NWIC recommended that the discovery of cultural or archaeological resources during construction are subject to the procedures outlined in the standard "Discovery Clause."

Additionally, NWIC recommended Mendocino County contact local Native American tribes regarding traditional, cultural, and religious heritage values. The County referred the project to the Cloverdale Rancheria, Redwood Valley Rancheria, and the Sherwood Valley Band of Pomo Indians for additional comment. The notified tribes did not provide responses to the requests for comment.

With the NWIC recommended conditions of approval (Special Condition 8), the project is consistent with Mendocino County's polices for protection of paleontological and archaeological resources.

<u>Groundwater Resources</u>: The project will not create an increase in the use of groundwater resources, nor will it affect existing groundwater resources in the area.

<u>Transportation/Circulation</u>: The project would widen and improve an existing roadway; however, the project would not increase the number of lanes, nor would it create or alter any land use that would cause an increase in traffic volume on the existing roadway. The project would provide improved circulation by improving the drainage preventing future roadway failures.

During construction, Caltrans proposes one-way controlled traffic and access will remain open to existing driveways, including the public access parking lot and trail west of the project.

<u>Visual Resource and Special Treatment Areas</u>: The entire project is located proximate to mapped Highly Scenic Areas. Projects within mapped Highly Scenic Areas are subject to the development criteria prescribed in MCC Section 20.504.015(C). The development criteria require projects protect coastal views from public areas (including highways), limit development to less than 18 feet above natural grade, and requires new development be subordinate to the natural setting (and minimize reflective surfaces).

The proposed roadway improvements would be constructed well below the required height maximums in Highly Scenic Areas. Additionally, this corridor provides public views of scenic vistas on a narrow roadway with steep drops to the west, which may contribute to the unsafe conditions of this section of roadway. The proposed project would increase the safety of this highly scenic public area.

**ENVIRONMENTAL DETERMINATION:** For the purposes of CEQA, Caltrans is the Lead Agency, meaning Caltrans has the primary responsibility for carrying out or approving a project. Mendocino County is a Responsible Agency, meaning a public agency other than the lead agency with a responsibility for carrying out or approving a project.

As Lead Agency, Caltrans determined that the project is Categorically Exempt from CEQA, meaning the proposed work falls within a class of projects that do not have a significant effect on the environment. Specifically, Caltrans determined the project is Categorically Exempt under Section 15301, Class 1(d), which applies to restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety. The full Caltrans Notice of Exemption (SCH 2019-038512) is included as an attachment.

**<u>RECOMMENDATION</u>**: Grant the requested Coastal Development Permit for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

**PROJECT FINDINGS AND CONDITIONS:** Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Code, the Coastal Permit Administrator approves the proposed project, and adopts the following findings and conditions.

#### FINDINGS:

- Pursuant to MCC Section 20.532.095(A)(1), the proposed development is in conformity with the certified Local Coastal Program. The project would be located within, adjacent to, and within 100 feet of ESHA; however, appropriate protection measures have been incorporated into the project and have been reviewed and agreed upon by resource agencies to ensure continued protection of the resources. The project proposes improvements to SR1 to support public safety and improved drainage; and
- 2. Pursuant to MCC Section 20.532.095(A)(2), the proposed development will be provided with adequate utilities, access roads, drainage, and other necessary facilities. No utilities are necessary to accommodate the project. The project proposes to enhance SR1 by providing standard travel ways and shoulders to increase public safety through the project corridor and to

improve drainage facilities that threaten the integrity of the roadway. Drainage facilities that would be affected by the project would be replaced and improved to realign with the natural channel. Existing AT7T and PG&E facilities would be relocated to the east side of SR1; and

- 3. Pursuant to MCC Section 20.532.095(A)(3), the proposed development is consistent with the purpose and intent of the Zoning District, as well as all other provisions of Division II of Title 20 of the Mendocino County Code. The proposed work is consistent with the policies of 20.496, specifically those related to buffer areas (20.496.020), and work permitted within wetlands (20.496.025), other waters (20.496.030) and riparian areas (20.496.035). The majority of the work would occur within the State right-of-way, which is currently developed with an existing two-lane highway. Project components outside the right-of-way include grading and vegetation removal. The proposed project would not change the current land use, nor cause any other changes that would conflict with zoning adjacent to the roadway; and
- 4. Pursuant to MCC Section 20.532.095(A)(4), the proposed development would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. Caltrans, as Lead Agency, determined that the project is Categorically Exempt from CEQA under Section 15301, Class 1(d). Class 1(d) finds that "restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety" are exempt from the provisions of CEQA. Caltrans, as Lead Agency, determined the project meets this criterion, and therefore will not have any significant adverse impacts on the environment within the meaning of CEQA.
- 5. Pursuant to MCC Section 20.532.095(A)(5), the proposed development would not have any adverse impact on any known archaeological or paleontological resources, as there are no known resources within the vicinity of the site and Standard Condition 8 is in place when archaeological sites or artifacts are discovered; and
- 6. Pursuant to MCC Section 20.532.095(A)(6), other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development. The project would not contribute new sources of traffic on local and regional roadways. The proposed project is being undertaken to improve public safety within this corridor of SR1; and
- 7. Pursuant to MCC Section 20.532.095(B), the proposed development would not diminish public access to Mendocino County coastal areas and conforms to the goals and policies of the Coastal Element of the General Plan. No public access points will be impacted by the project; and
- 8. Pursuant to MCC Section 20.532.100(A)(1), the proposed development is consistent with ESHA policies that require the following findings: (a) The resources as identified will not be significantly degraded by the proposed development; (b) There is no feasible less environmentally damaging alternative; (c) All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted. SR1 and associated drainage infrastructure are located within ESHA and ESHA buffer areas, such that there is no feasible less environmentally damaging alternative. The resources as identified will not be significantly degraded with inclusion of the recommended conditions of approval.

#### CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the 10 working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.

- 2. To remain valid, progress towards completion of the project must be continuous. The Applicants have sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
- 3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
- 4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
- 5. The Applicants shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
- 6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - a. The permit was obtained or extended by fraud.
  - b. One or more of the conditions upon which the permit was granted have been violated.
  - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
  - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
- 7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
- 8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within 100 feet of the discovery, and make notification of the discovery to the Director of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
- 9. The contractor performing the work shall provide proof of appropriate disposal of exported material to both the Caltrans Resident Engineer and the County prior to close out of construction.
- 10. Any disturbed soil after construction shall be scarified and seeded with California native seed mix that is regionally appropriate to the area. Disturbed soil is defined as cut, fill, and/or compaction to existing grade.
- 11. Project implementation shall be consistent with the recommended mitigations, BMPs, and avoidance and minimization measures outlined in Sections 1.2, 1.3, and 3.5 of the *ESHA Assessment,* July 2019 (Exhibit A), Section 1.4 of the *Natural Environment Study,* July 2017 (Exhibit B), and Sections 4 through 8 of the *Revegetation Plan* (Exhibit C) intended to protect ESHA.

## COASTAL PERMIT ADMINISTRATOR STAFF REPORT FOR STANDARD COASTAL DEVELOPMENT PERMIT

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DATE

JULIA KROG ASSISTANT DIRECTOR

Appeal Period: 10 Days Appeal Fee: \$1,616.00

#### ATTACHMENTS:

- A. Location Map
- B. Aerial Imagery
- C. Topographic Map
- D. LCP Land Use Map 19: Navarro
- E. LCP Habitats & Resources
- F. Wetlands
- G. Fire Hazard Zones and Responsibility Areas
- H. Soil Classifications
- I. Highly Scenic and Tree Removal Areas
- J. Adjacent Properties
- K. Project Layout
- L. ESHA Map
- M. Categorical Exclusion
- N. Utility Relocation Plan
- O. Grading Plan
- P. Plan Set
- Q. Applicant's Statement

Exhibit A – ESHA Assessment Measures

- Exhibit B Natural Environment Study Measures
- Exhibit C *Revegetation Plan* Measures

#### 1.2 Project Description

The project's objective is to protect the highway from erosion and instability by improving the drainage system and repairing roadway embankment side-slopes, repairing the embankment of a private driveway, improving the roadway geometry and increasing the shoulder width.

Caltrans proposes to improve the drainage system south of Navarro Ridge Road and to widen the shoulders within the project limits to 4 feet. The existing culvert will be removed and a new 36-inch diameter Alternative Pipe Culvert (APC) will be installed. The culvert inlet will remain in the same place and the outlet will be relocated approximately 30 feet to the south for better alignment with the natural channel. A 20-foot by 9-foot rock energy dissipater will be installed at the outlet within the existing channel to prevent additional erosion and downcutting. A temporary clearwater diversion may be necessary when installing the new culvert depending on the time of year and amount of water present in the natural channel.

The roadway embankment side-slopes and the embankment of a private driveway will be repaired and revegetated. A 12-0inch Corrugated Steel Pipe (CSP) drain will be removed and the existing ditch will be regraded near the site of the removed inlet so that runoff is directed across and down the slope to the RSP. This path of the flow will be lined with rock to prevent erosion. An 80-foot section of barbed wire (3-Strand Wire and Wire Mesh, Metal Post) right of way fencing in an area of erosion will be reconstructed. RSP within the proposed temporary construction easement that had been previously placed along the bank of the stream channel to buttress the roadway embankment side-slopes and the embankment of a private driveway and has "migrated" downstream will be removed. Construction of the new shoulders will include excavation of existing material and placement of new structural section. The structural section consists 1.30 ft of class 2 aggregate base, 0.40 ft of hot mix asphalt (type A), and 0.08 ft bonded wearing course (BWC-G). This will help seal longitudinal pavement joints and give a good surface to receive new striping. A layer of geosynthetic pavement interlayer (GPI) will be used at the pavement joint where the new surface meets the existing pavement. See Appendix A for plans and maps.

The owners of existing utilities within the project limits includes Pacific Gas and Electric company (PG&E) and American Telephone and Telegraph Company (AT&T). Utility maps were obtained from the owners and used to pot-hole for existing utilities to positively identify their location. The pot-holing was unable to discover either utility line. The existing utilities may either be too deep to impact the project, or have been removed, and thus may not impact project work. It will be necessary to perform additional potholing prior to construction to confirm there are no conflicts prior to installing new drainage structure and repairing roadway embankment side-slopes and the embankment of the adjacent private driveway.

Three (3) tree stumps are to be removed from the State Right of Way and two (2) tree stumps are to be removed on the Temporary Construction Easement (TCE) located at the outfall of the proposed culvert. While some additional shrubs may be removed during site clearing, no trees will be removed as a result of this project. An access road will be constructed on the west side of SR 1 just south of the drainage and construction site to facilitate placement of the RSP and culvert without delaying highway traffic or blocking the private landowner's access.

The anticipated traffic control measures are reversing traffic control, moving lane closure, and shoulder closure. One lane closure is permitted within the project limits. A minimum of 12 feet of paved roadway must be open for use by public traffic. Bicyclists shall be

accommodated through the work zone. Signage shall be used to alert vehicles of the possible presence of bicyclists. The estimated maximum delay during one-way reversing traffic control would be 5 minutes. Access to side roads and residences would be maintained during construction. Construction staging will occur in a turnout on the west side of State Highway 1 within the State Right of Way at approximate postmile MEN-001-42.45 on the north end of the project area.

Additional items include improving superelevation, restriping, installation of edgeline and centerline rumble strip, and dike replacement.

#### Construction Equipment

Equipment needed to perform the work includes support vehicles, dump trucks, pickup trucks, hauling trucks, backhoe, excavator, trencher, drilling rigs/augers, paver, rollers, concrete saw, jackhammer, generators, grinders, compressors, concrete saws, other handheld power tools, and drums to store debris from surface preparation work.

#### **Construction Schedule**

It is anticipated that construction would be completed within one year but could be longer depending on the contractor and seasonal work window restrictions defined in permit requirements. No night work is anticipated or planned for at this time.

#### Areas for Contractor Use (Staging Areas)

Staging areas for contractor use have been identified at the north end of the project, within existing pullouts located on the west and east sides of the highway. The staging area to the west was formerly the main highway alignment, abandoned several years ago for a curve correction project associated with Navarro Ridge Road.

#### Clearing and Grubbing

The contractor would remove all vegetation and debris within the right of way (ROW) and the identified temporary construction easements. Vegetation within the identified ESHAs would be preserved wherever possible and protected from construction impacts. A total of one, three trunk wax myrtle shrub, and five stumps would be removed for construction activities (See Appendix A, Figure 2). Three stumps are located within the State Right of Way, and the remaining two are within the temporary construction easement.

In compliance with the Migratory Bird Treaty Act, vegetation clearing would be conducted from September 1st to February 28<sup>th</sup>, outside of the nesting bird season. If vegetation removal is required during the breeding season, a nesting bird survey would be conducted by a qualified biologist within one week prior to the start of removal. Vegetation that is

cleared and grubbed may be collected and processed into duff<sup>1</sup> by grinding or chipping. Duff may be stockpiled until placed on the planned revegetation areas. Alternately, Type D Erosion Control may be used which would be a combination of hydroseeding, straw, and fiber application. Access and staging areas would be cleared as necessary to move and store material and equipment around the project site. Equipment used to clear and grub vegetation would likely include backhoes, chain saws, mowers, chippers, and hand tools. Access roads would likely be graded with a backhoe.

#### Grading and Fill

Shoulders would be widened to 4 feet. Road work would consist of cold planing to 0.10 feet in depth, excavation and construction of structural sections, correction of superelevation, and a new open graded friction course (OGFC) overlay of 0.10 feet thick from edge of pavement to edge of pavement. The structural section consists of 1.35 feet of Class 2 aggregate base, 0.5 feet of hot mix asphalt (Type A), and 0.10 feet of open graded friction course (OGFC). Additional items include restriping, installation of edge line and centerline rumble strip, and dike replacement. The project would generate approximately 463.7 cubic yards of cut material and would require approximately 242.23 cubic yards of fill material. Thus, the project would generate approximately 221.49 cubic yards of excess fill material, which would be disposed of by the contractor. A grading plan has been prepared for this project and is included in the Coastal Development Permit Application package.

#### Revegetation and Plant Establishment

After all construction materials are removed, the site would be restored to a natural setting by grading, placing erosion control, and replanting. Replanting would be subject to a plant establishment period as defined by permits, which would require Caltrans to adequately water plants, replace unsuitable plants, and control pests and weeds.

#### Right of Way

A temporary construction easement would be required from private land owners at the culvert outlet (See Figure 2, Appendix A). No other temporary or permanent right of way would be required. Right of way fencing that has been undermined within the area of erosion would be reconstructed after construction is complete.

#### 1.3 Project Features, Standard Measures, and Best Management Practices

The following section provides a list of project features, standard practices, and best management practices (BMPs) that are included as part of the project description. These

<sup>&</sup>lt;sup>1</sup> "Duff" in this case refers to the biological term used to describe partly decayed organic matter found on the forest floor.

avoidance and minimization measures are prescriptive and sufficiently standardized to be generally applicable, and do not require special tailoring to a project situation. These are measures that result from laws, permits, guidelines, and resource management plans that are relevant to the project. They contain refinements in planning policies and implementing actions. These practices predate the project's proposal and apply to all similar projects. For this reason, these measures and practices do not qualify as project mitigation, and the effects of the project are analyzed with these measures in place. Any project-specific measures that would be applied to reduce the effects of project impacts are listed in relevant sections of Chapter 3.

Standard measures relevant to the protection of natural resources deemed applicable to the proposed project include the following:

#### Water Quality and Storm Water Runoff

**WQ-1:** Construction site BMPs would follow the latest edition of the Construction Site Best Management Practices Manual (Caltrans 2017b) to control and minimize the impacts of construction-related activities, materials and pollutants on the watershed.

**WQ-2:** The project would comply with Caltrans Standard Specifications for Water Pollution Control and Job Site Management (Caltrans 2018). Caltrans' Standard Specifications require the contractor to submit a Water Pollution Control Plan for projects with a disturbed soil area (DSA) of less than one acre for review and approval by the resident engineer. The Water Pollution Control Plan would implement storm water and water pollution control training, routine BMP inspections, spill prevention and control, materials and waste management and non-storm water management.

#### Wetlands and Other Waters

**WW-1:** The contractor would be required to place high visibility fencing (HVF) along the boundaries of all riparian, wetland or other ESHA adjacent to the project footprint, as mapped in Figure 5.

**WW-2:** Revegetation would take place on-site after construction to address permanent and temporary impacts to other waters of the U.S. and associated riparian areas resulting from the proposed project. All disturbed soil areas would be planted with regionally appropriate native plants. Caltrans would remove non-native and invasive plants within disturbed soil areas as needed during the plant establishment period. Planting ratios would be determined following updated guidance from the California Department of Fish and Wildlife, North Coast Regional Water Quality Control Board (NCRWQCB), and County of Mendocino Department of Planning and Building (MDP&BS). A Revegetation Plan would be submitted during the permitting phase of the project to address all project requirements.

WW-3: The construction footprint would be minimized to the extent feasible.

#### Natural Communities

**NC-1:** After all construction materials are removed, the project area would be revegetated according to Caltrans' standard practice. Replanting would be subject to a plant establishment period as defined by project permits, which would require Caltrans to adequately water plants, replace unsuitable plants, and control pests. Caltrans would implement a program of invasive weed control in all areas of soil disturbance caused by construction to improve habitat for native species in and adjacent to disturbed soil areas within the project limits.

**NC-2:** The contractor would be required to place temporary HVF along the boundaries of riparian, wetland or other environmentally sensitive areas on land to avoid impacts to sensitive habitats that occur adjacent to the project footprint.

#### Animal Species

**AS-1:** To protect migratory and nongame birds, their occupied nests and eggs, nesting prevention measures would be implemented. Vegetation removal would be restricted to the period outside the bird breeding season (September 1 through February 28), or if vegetation removal is required during the breeding season, a nesting bird survey would be conducted by a qualified biologist within one week prior to vegetation removal. If an active nest were located, the biologist would coordinate with the California Department of Fish and Wildlife (CDFW) to establish appropriate species-specific buffer(s) and any monitoring requirements. The buffer(s) would be delineated around each active nest, and construction activities would be excluded from these areas until birds have fledged, or the nest is determined to be unoccupied.

**AS-2:** Pre-construction surveys for active raptor nests would be conducted by a qualified biologist within 15 days prior to the initiation of construction activities. Areas to be surveyed would be limited to those areas subject to increased disturbance because of construction activities (i.e., areas where existing traffic or human activity is greater than or equal to construction-related disturbance need not be surveyed). If any active raptor nests were identified, appropriate conservation measures (as determined by a qualified biologist in coordination with CDFW) would be implemented. These measures may include, but are not limited to, establishing a construction-free buffer zone around the active nest site, biological monitoring of the active nest site, and delaying construction activities near the active nest site until the young have fledged.

#### Invasive Species

**IS-1:** To prevent the spread of invasive plant species in disturbed soil after construction, all disturbed areas would be seeded with native herbaceous species and weed-free mulch would be applied.

**IS-2:** Construction equipment would be inspected and cleaned to remove invasive species and/or pathogens before being brought to the project site and prior to removal from the project area.

#### 3.5 Avoidance and Minimization Efforts

Measures described in Section 1.3 *Project Features, Standard Measures, and Best Management Practices* of this report will be implemented to avoid and minimize impacts to regulated wetlands and other waters in the BSA. In addition, Caltrans would ensure that applicable BMPs are used to stabilize all bare soil areas over both the short and long term and to minimize adverse effects to water quality, aquatic habitat, and aquatic species. BMPs include soil stabilization practices (silt fencing, straw application, fiber roll application, etc.), and weather-appropriate scheduling. HVF would be used to limit ground disturbance to the project footprint, and debris containment plans would be implemented to ensure construction debris does not enter adjacent waters. Any debris and sediment would be contained within the project site and disposed of offsite. Restoration of the historic channel is written into the project purpose and need.

Revegetation would take place on-site after construction to address temporary impacts to other waters of the U.S. and associated riparian areas resulting from the proposed project. All disturbed soil areas would be planted with regionally appropriate native plants. Planting ratios would be determined following updated guidance from involved regulatory agencies. A Revegetation Plan would be submitted to address all requirements for the project.

### 1.4 Project Features, Standard Measures, and Best Management Practices

The following section provides a list of project features, standard practices, and best management practices (BMPs) that are included as part of the project description. These avoidance and minimization measures are prescriptive and sufficiently standardized to be

generally applicable, and do not require special tailoring to a project situation. These are generally measures that result from laws, permits, guidelines, and resource management plans that are relevant to the project. They contain refinements in planning policies and implementing actions. These practices predate the project's proposal and apply to all similar projects. For this reason, these measures and practices do not qualify as project mitigation, and the effects of the project are analyzed with these measures in place. Any project-specific mitigation measures that would be applied to reduce the effects of project impacts are listed in relevant sections of Chapter 4.

Standard measures relevant to the protection of natural resources deemed applicable to the proposed project include the following:

#### Water Quality and Storm Water Runoff

**WQ-1:** Construction site BMPs would follow the latest edition of the Construction Site Best Management Practices Manual (Caltrans 2017b) to control and minimize the impacts of construction-related activities, materials and pollutants on the watershed.

**WQ-2:** The project would comply with Caltrans Standard Specifications for Water Pollution Control and Job Site Management (Caltrans 2018). Caltrans' Standard Specifications require the contractor to submit a Water Pollution Control Plan for projects with a disturbed soil area (DSA) of less than one acre for review and approval by the resident engineer. The Water Pollution Control Plan would implement storm water and water pollution control training, routine BMP inspections, spill prevention and control, materials and waste management and non-storm water management.

**WQ-3:** Biofiltration swales ("bioswales") would be integrated into the final design and specifications to address storm water associated with the new culvert that runs under the driveway to the north and drains into the outlet of Navarro Drainage. Bioswales are vegetated, typically trapezoidal, channels that receive and convey storm water flows while meeting water quality and flow criteria. Pollutants are removed by filtration through vegetation, uptake by plant biomass, sedimentation, absorption to soil particles, and infiltration through the soil. These would be within the existing Caltrans right of way. Bioswales would be planted with native species selected by a Caltrans Landscape Architect.

#### EXHIBIT B (Natural Environmental Study Measures)

#### Wetlands and Other Waters

**WW-1**: The contractor would be required to place high visibility fencing (HVF) along the boundaries of all riparian, wetland or other environmentally sensitive areas adjacent to the project footprint.

**WW-2**: Revegetation would take place on-site after construction to address permanent and temporary impacts to other waters of the U.S. and associated riparian areas resulting from the proposed project. All disturbed soil areas would be planted with regionally appropriate native plants. Caltrans would remove non-native and invasive plants within disturbed soil areas as needed during the plant establishment period. Planting ratios would be determined following updated guidance from USACE, NCRWQCB, and County of Mendocino Department of Planning and Building (MDP&BS). A Revegetation Plan would be submitted during the permitting phase of the project to address all project requirements.

WW-3: The construction footprint would be reduced to the maximum extent feasible.

#### Natural Communities

**NC-1**: After all construction materials are removed, the project area would be revegetated. Replanting would be subject to a plant establishment period as defined by project permits, which would require Caltrans to adequately water plants, replace unsuitable plants, and control pests. Caltrans would implement a program of invasive weed control in all areas of soil disturbance caused by construction to improve habitat for native species in and adjacent to disturbed soil areas within the project limits.

NC-2: The contractor would be required to place temporary HVF along the boundaries of riparian, wetland or other environmentally sensitive areas on land to avoid impacts to sensitive habitats that occur adjacent to the project footprint.

#### **Animal Species**

**AS-1**: To protect migratory and nongame birds, their occupied nests and eggs, nesting prevention measures would be implemented. Vegetation removal would be restricted to the period outside the bird breeding season (September 1 through February 28), or if vegetation removal is required during the breeding season, a nesting bird survey would be conducted by a qualified biologist within one week of removal. If an active nest were located, the biologist would coordinate with the California Department of Fish and Wildlife (CDFW) to establish appropriate species-specific buffer(s) and any monitoring requirements. The buffer(s) would be delineated around each active nest, and construction activities would be excluded from these areas until birds have fledged, or the nest is determined to be unoccupied.

#### EXHIBIT B (Natural Environmental Study Measures)

AS-2: Pre-construction surveys for active raptor nests within one-fourth mile of the project area would be conducted by a qualified biologist within 15 days prior to the initiation of construction activities. Areas to be surveyed would be limited to those areas subject to increased disturbance because of construction activities (i.e., areas where existing traffic or human activity is greater than or equal to construction-related disturbance need not be surveyed). If any active raptor nests were identified, appropriate conservation measures (as determined by a qualified biologist) would be implemented. These measures may include, but are not limited to, establishing a construction-free buffer zone around the active nest site, biological monitoring of the active nest site, and delaying construction activities near the active nest site until the young have fledged.

#### **Invasive Species**

**IS-1**: To prevent the spread of invasive plant species in disturbed soil after construction, all disturbed areas would be seeded with native herbaceous species and weed-free mulch would be applied.

**IS-2**: Construction equipment would be inspected and cleaned to remove invasive species and/or pathogens before being brought to the project site and prior to removal from the project area.

#### b) Anticipated impacts

Construction of the proposed project would result in the removal of riparian vegetation at Navarro drainage at both the inlet and outlet side. Dominant existing vegetation likely removed by construction would include species such as wax myrtle (*Morella californica*), coyote brush (*Baccharis pilularis ssp. pilularis*), and western sword fern (*Polystichum munitum*). Existing riparian vegetation on the inlet side consists of small fruited bulrush (*Scirpus microcarpus*), Douglas iris (*Iris douglasiana*), thimbleberry (*Rubus parviflorus*), and horsetail (*Equisetum telmateia*). A total of three wax myrtle trees may be potentially removed for construction access and widening activities, although they will likely be preserved. A count of actual trees and shrubs cut or removed by construction activities would be conducted after construction.

#### 4) Revegetation Goal

*The revegetation goal* is to restore the natural riparian habitat temporarily affected by construction activities with self-sustaining, native plants appropriate to the region. Revegetation is proposed to offset temporary impacts associated with this construction project.

#### 5) Summary of Initial Revegetation Activities

Revegetation activities would include:

#### a) Erosion control

A permanent erosion control seed mix, comprising regionally-appropriate native species and a non-persistent annual grass (i.e., common barley, *Hordeum vulgare*), would be hydroseeded in bare soil areas at the end of construction. The erosion control seed mix is considered a specification managed by Construction and Landscape Architecture (and by Maintenance after construction is complete); therefore, is not considered part of the revegetation success criteria.

#### b) Plant species and quantities

Revegetation would be conducted using native and regionally-appropriate plant species. Plant material may include locally collected and outgrown bareroot

stock, container stock, and salvaged material. In addition, natural vegetation recruitment is likely and would be incorporated into planting considerations and revegetation goals.

Proposed revegetation would include planting of regionally-appropriate California native plants including, but not limited to, California wax myrtle, coyote brush, blue blossom (*Ceanothus thyrsiflorus var. thyrsiflorus*), California blackberry (*Rubus ursinus*), Western sword fern, silver lupine (*Lupinus albifrons var. albifrons*), Western thimbleberry (*Rubus parviflorus*), California coffeeberry (*Frangula californica ssp. californica*), cascara (*Frangula purshiana ssp. purshiana*), cow parsnip (*Heracleum maximum*), common rush (*Juncus effusus ssp. pacificus*), small-fruited bulrush (*Scirpus microcarpus*). Douglas iris (*Iris douglasiana*), and umbrella sedge (*Cyperus eragrostis*). Select species of native grass seed may be spread in the revegetation area during annual weeding and maintenance events to cover bare soil, increase native cover and reduce invasive weed establishment, but would not be considered part of the success criteria.

The anticipated species and quantities of plant material to be utilized are presented in Appendix B. Actual species and quantities to be used for initial planting and replanting will be determined by numbers of trees cut for construction, in addition to commercial availability, natural recruitment, and site conditions at the time of planning and planting.

#### c) Proposed planting areas

*PM* 42.3: The proposed revegetation area is shown in Figure 3 of Appendix A and includes both the inlet and the outlet side. Staff determined the location has safe parking and access and is close to the anticipated parking area. The exact location for installing each plant within the revegetation area will be determined by a Caltrans Revegetation Specialist at the time of planting.

#### d) Planting contract and duration

Revegetation planting and maintenance, including watering and weeding, would be contracted to and performed by the California Conservation Corps (CCC) or other qualified contractor, with oversight by a Caltrans Revegetation Specialist, during the 5-year maintenance and monitoring period.

#### 6) Implementation and Maintenance Schedule

#### a) Planting

Planting will occur approximately one year from completion of construction. To minimize plant stress, container plants will be installed when plants are dormant (i.e., typically November-March). Replacement planting, if needed, will occur during the dormant season, generally a year after the initial planting. Additionally, presence of volunteer native plants will affect whether and how much replanting is needed, since overplanting is a concern.

#### b) Watering

Watering will be conducted during the first two dry seasons following each planting (typically mid-May through October or November, approximately every other week), and/or any extensive dry period during the first two years following initial planting and replanting. Dri-Water, or a similar product, may also be used to aid plants in maintaining soil moisture between watering. The Dri-Water material is present for approximately 2 months, replaced during the dry season as needed, and will be used only during the dry season for the first two years that any given plant is in the ground. To meet permit requirements of the NCRWQCB, supplemental watering will not occur in the last two years of the monitoring period.

Where a minimal percentage of plants (i.e., generally, up to 20%) need to be installed in Years 3 or 4 of monitoring to ensure the success criterion is met, watering will occur for two years after planting for the supplemental plants only. Because supplemental planting is a minimal percentage of plants (i.e., generally, up to 20%), Caltrans will not be required to maintain and monitor the site for two additional years beyond the last watering of the supplemental plants, as long as the site has met the success criterion at the end of the monitoring period and the supplemental plants appear healthy and established.

#### c) Weeding

In all areas of soil disturbance caused by construction, Caltrans will implement a program of invasive weed control to improve habitat for native species. Planting areas will be weeded by hand during planting and the 5-year maintenance and monitoring period to help installed and native volunteer plants successfully establish.

During the 5-year maintenance period, invasive plant species present within the revegetation area rated as High threats by the California Invasive Plant Council  $(Cal-IPC)^1$  will be controlled and removed to the extent feasible. Currently existing in the project area, Himalayan blackberry (*Rubus armeniacus*) is rated as a High Threat; therefore, will be targeted for removal. Other problematic, locally invasive species, such as teasel (*Dipsacus fullonum*) and poison hemlock (*Conium maculatum*), will be controlled when feasible. Any other invasive plants newly introduced to the site will be evaluated and controlled where deemed feasible.

#### 7) Monitoring Methods and Performance and Success Criteria

#### a) Monitoring methods and schedule will include:

 Photo points: Photos of the project area were taken on January 9, 2020, to document the pre-construction condition (Appendix C). Photo points will visually indicate survival and establishment of plants over the five years of monitoring.

<sup>&</sup>lt;sup>1</sup> Cal-IPC (<u>http://www.cal-ipc.org/</u>): The California Invasive Plant Inventory categorizes non-native invasive plants that threaten the state's wildlands. Categorization is based on the assessment of the ecological impacts of each species. The Inventory categorizes plants as High, Moderate, or Limited, reflecting the level of each species' negative ecological impact in California:

High: These species have 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 and establishment. Most are widely distributed ecologically.

Moderate: These species 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. Ecological amplitude and
distribution may range from limited to widespread.

Limited: These species are invasive, but their ecological impacts are minor on a statewide level or there was not enough information to justify a higher score. Their reproductive biology and other attributes result in low to moderate rates of invasiveness. Ecological amplitude and distribution are generally limited, but these species may be locally persistent and problematic.

ii) Counts of native plants: Census monitoring will be conducted after initial planting to assess establishment of woody (trees and shrubs) native plants and herbs (frequency discussed below).

Installed and volunteer woody native plants and herbs alive during monitoring will be counted. Establishment of volunteer woody and herbaceous native species will be included in the total plant count, since volunteers indicate revegetation is successfully occurring and a site is selfsustaining. Any affected trees and shrubs that naturally resprout after construction will also be counted. There will be no success criteria for herbs or grasses.

iii) Schedule: Caltrans will monitor annually. Survival counts will be conducted to assess progress toward the success criterion and identify remedial or adaptive management measures that may be required.

Photo monitoring will occur annually.

First year monitoring may take place in the same calendar year as the initial planting as long as installation occurs before March 1st. First year monitoring may also occur in the same calendar year as initial planting if growing conditions at the planting site are suitable for planting after March 1<sup>st</sup> (e.g., plants are dormant) and plants appear to be successfully establishing near the end of the first growing season.

- If the first monitoring occurs in the same calendar year, it will occur after summer to allow establishment of plants during the growing season.
- If monitoring occurs at least one year after planting, it will occur between May and end of summer.

Final monitoring in Year 5 will assess whether the success criterion has been met.

#### b) Performance and success criterion for survival counts:

- i) Year 5 Success Criterion: At least 100% of the baseline number of trees and shrubs cut and/or removed for construction activities will be alive in monitoring Year 5.
- Potential Early Release: If the success criterion is met before Year 5, Caltrans may request to be released from monitoring and reporting

requirements if it is demonstrated that the plantings are successful and will survive and thrive without further maintenance (weeding, watering, etc.).

#### c) Revegetation monitoring reports:

- i) Revegetation monitoring reports for Years 1, 3, and 5 will be submitted to the NCRWQCB and any other agencies requiring submission of revegetation monitoring reports. Monitoring reports will include a summary of monitoring results, discuss whether the revegetation areas appear to be on a trajectory toward meeting the success criteria, and will include any proposed remedial measures to help ensure success. Monitoring reports will also include photo points. The final monitoring report will discuss whether the success criterion was met and whether remedial actions are needed, or revegetation is considered complete.
- Revegetation monitoring data and photos for Years 2 and 4 will be saved to the project file and made available upon request. As requested during the application process, plant counts and photos will be submitted to the NCRWQCB for Years 2 and 4.

#### 8) Remedial Measures

If annual monitoring results suggest the site is not on a trajectory to meeting the success criterion, the Revegetation Specialist will assess potential reasons for the criterion not being met and develop remedial measures or adaptive management strategies. If the success criterion is not met in Year 5, Caltrans will coordinate with the permitting agencies to discuss success criterion issues and develop a plan to resolve the issues.

Any remedial measures implemented will be discussed in monitoring report(s).



## **Albion Bridge Stewards**

A working group of the Albion Community Advisory Board

P.O. Box 363 Albion, CA 95410

By Electronic Mail NorthCoast@coastal.ca.gov

April 25, 2022

California Coastal Commission North Coast District CDP Appeal Intake Staff 1385 Eighth Street, Suite 130 Arcata, california 95521

RE: APPEAL OF MENDOCINO COUNTY BOARD OF SUPERVISORS ACTION RE CASE# 2019-0034 (CALTRANS DISTRICT 1, HIGHWAY 1, ALBION, "NAVARRO DRAINAGE")

Dear Staff of the Commission,

Enclosed please find the enclosed appeal by the Albion Bridge Stewards and Co-Appellants to the California Coastal Commission of the action by the Mendocino County Board of Supervisors to "affirm" the prior action by the County Coastal Permit Administrator in the above-referenced Coastal Development Permit 2019-0034 matter.

Thank you, in advance, for advising me by reply email before 5 pm today when you have received this appeal.

Respectfully submitted on behalf of the Albion Bridge Stewards and Co-Appellants, by,

Jim Heid

c: Ms. Melissa Kraemer, Melissa.Kraemer@coastal.ca.gov Ms. Amber Leavitt, Amber.Leavitt@coastal.ca.gov Ms. Julia Krog, krogj@mendocinocounty.org Mr. Richard Mullen, richard.mullen@dot.ca.gov Mr. Frank Demling, frank.demling@dot.ca.gov

Website: http://albion.cab.wordpress.com Email: acab@mcn.org

> Exhibit 8 – Appeal Filed Appeal No. A-1-MEN-22-0016 (Caltrans) Navarro Drainage Project Exhibit 8 Page 1 of 9

STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

1985 EIGHTH STREET, SUITE 130 ARCATA, GA 90521 (707) 826-8950 NORTHCOAST@COASTAL GA GOV



GAVIN NEWSOM, GOVERNOR

#### APPEAL FORM

Appeal of Local Government Coastal Development Permit

#### Filing Information (STAFF ONLY)

District Office: North Coast

Appeal Number:

Date Filed:

Appellant Name(s):

## APPELLANTS

**IMPORTANT.** Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's <u>contact page</u> at <u>https://coastal.ca.gov/contact/#/</u>).</u>

Note regarding emailed appeals. Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the North Coast district office, the email address is NorthCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact pape at https://coastal.ca.gov/contact/#/).

EXHIBIT 1. APPEAL TO THE CALIFORNIA COSTAL COMMISSION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ACTION IN RE CASE# 2019-0034 (CALTRANS DISTRICT 1, "NAVARRO DRAINAGE HIGHWAY 1 ROAD FACILITY AND DRAINAGE SYSTEM EXPANSION)

2

## Appeal of local CDP decision Page 2

## 1. Appellant information

Name:		ALBION BRIDGE STEWARDS & XX CO-APPELLANTS (Exhibit 2)			
Mailing address:		P.O. BOX 363, ALBION, CALIFORNIA 95410			
Phone number:		1-707-937-5575			
Email addr	ess:	jim@heidsite.com			
How did yo	ou participa	ate in the local CDP application and decision-making process?			
Describe:	* Co-Appe proceeding Albion Brid and, on ap ••• The Alb in the CPA	Ilant Patterson was unable to participate in the Board of Supervisors' js on Case# CDP 2019-0034 because it failed to give him due notice. •• The Ige Stewards and specified Co-Appellants submitted written comments to the CPA peal, to the Board in opposition to the CPA's actions and CDP 2019-0024. ion Bridge Stewards and specified Co-Appellants presented oral testimony 's and, on appeal, the Board's proceedings. See Exhibit 2.			
lf you did <i>n</i> please ider participate Describe:	bot particip ntify why y because Co-Appella Case# 201 unable to p	ate in the local CDP application and decision-making process, you should be allowed to appeal anyway (e.g., if you did not you were not properly noticed). ant Patterson appeared by written and oral comments in the CPA's proceedings on 19-0034, but for failure of the Board's giving him due notice of its proceedings was participate in it.			
Please ide why you sh CDP notice processes) Describe:	ntify how y hould be a e and hear (1) The All DeSmidt, V Supervisor exhausted 20.544.01	vou exhausted all LCP CDP appeal processes or otherwise identify llowed to appeal (e.g., if the local government did not follow proper ing procedures, or it charges a fee for local appellate CDP bion Bridge Stewards and Co-Appellants Hansen, Elac, Heid, Heil, Reiss, Neibel, and van Zee timely appealed the CDP's actions to the Board of 's. (2) Mendocino County charged us a \$1,616 appeal fee. We have thereby the LCP CDP appeal process at the local level. (LCP CZO §§ 20.536.015, 5.)			

1 If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.
# Appeal of local CDP decision Page 3

2. Local CDP decision being appealed	12
Local government name:	County of Mendocino Board of Supervisors (on appeal from CPA) Case#
Local government approval body:	CDP2019-0034
Local government CDP application number:	the second s
Local government CDP decision:	CDP approval CDP deniala
Date of local government CDP decision:	<u>CPA CDP conditional approval, Nov. 17, 2021; affirmed</u> by Board on appeal, Apr. 5, 2022.
Please identify the location and description denied by the local government.	of the development that was approved or

Describe:

1. Development Location. (a) In the LCP-designated highly scenic area of Albion of the westtrending lower Navarro Creek Valley (NCV) and on the 1st marine terrace, along Highway 1 between PM 41.8 and PM 42.8 (CDOT, Project ID 0115000048, Location Sheet 1, dated 08-12-20), (b) along oceanward-trending Navarro Ridge Road (NRR) to easterly of the shown Hwy 1 ROW, (c) in the Hwy 1-NRR -intersection, (d) west-southwesterly of the intersection in & adjacent to the CTD1-realigned (1998 ff.) Navarro Creek bed and bank, and by subsurface drainage facility below the highway road fill berm. The area is part of the sensitive raptor (Peregrine falcon, etc.) forage habitat that extends along the 1st marine terrace northerly from the nearby Navarro Point Preserve; rare fauna ESHA occurs to the southwest, wetlands occur to the east, north, and west in conjunction with Navarro Creek and small drainages along the perimeter of the highway and turnouts; the CCT alignment extends north-south through the project area. **2.Development Description:** Piecemealed proposed replacement and relocation, in the to heights up to 30 feet above the creek bed (Drainage Profile DP-1), of an unpermitted (no disclosed regular CDP) 24-inch Ø culvert, installed in 1998 during an emergency, with a realigned 36-inch culvert and downdrain to convey Navarro Creek through the fill berm intersection of Hwy 1, Navarro Ridge Road, and two private driveways (that serve bluff top residences). The replacement culvert would not be located in the historic Navarro Creek bed; the existing failed culvet would be abandoned in place; CTD1 proposes temporary diversion and potential appropriation of stream waters, +464 cy of excavation (to be hauled to an undisclosed location).  $\pm 242$  cy of imported fill from an undisclosed location (that was previously identified as the CDP 2019-0024 Navarro Ridge natural landform excavation site), eroded road berm/slope reconstruction, ±250 sf rock energy dissipator in the stream, ±1.61 acre directly impacted area with in situ riverine ESHA, no CTD1 proposes to use turnouts immediately to the south and north of the limited visibility intersection for project and equipment and staging. CTD1 disclaims an obligation to improve the CCT throuh the area, has not analyzed the least environmentally damaging (preferred) alternative of daylighting the creek, restoring its bed and bank to natural conditions, and placing the strea crossing on a small trestle or bridge; but CTD1 has exempted the project from CEQA environmental review.

2 Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

a Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the appeal information sharet for more information.

## Appeal of local CDP decision Page 4

#### 3. Applicant information

Applicant name(s):

Applicant Address:

California Department of Transportation, District 1 1656 Union Street Eureka, CA 95501

#### 4. Grounds for this appeal4

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

We incorporate our written and oral testimony to the CPA for Case# 2019-0024, and our appeal, writte, and oral testimony to the Board by reference. In summary: **Describe:** 

1. No valid CDP application existed for this development on Nov. 17, 2021 (or Apr. 5, 2022), because the incomplete CTD1 application became deemed withdrawn by operation of CZO §20.532.035(D) on or about October, 15 2020, which rendered the CPA's conditional approval of Case# 2019-34 and the Board's affirmation of it *ultra vires* and void *ab initio*.

2. CTD1 failed to provide PBS with the requisite list of property owners, occupants, and known interested persons to whom notice of the CPA/Board hearings was due (CZO §§20.532.025D, E, F), and in seriatim PBS and the Board Clerk failed to to give the due notice required by CZO §20.536.015(C), which denied the public the maximized opportunity to exercise its due process right to public understand and participation in Case# 2019-0024, pursuant to the LCP and PRC §30006.

3. CTD1 proposes to continue its inappropriate fill and hydraulic development of Navarro Creek, with plainly visible significant adverse effects on its bed and bank, and the sensitive avian, highly scenic, public access and recreation, riparian, riverine, terrestrial, and wetland coastal resources that in relevant parts depend on them, inconsistent with (a) the LCP height limit, which here is 18 feet above natural grade, (b) the visual compatibility and subordination requirement of LUP Policy 3.5-1, (c) the Albion community compatibility standard of LUP Policy 3.5-2, (d) the prohibition of significant ESHA degradation, and restoration of degraded areas, in the creek corridor pursuant to LUP Policy 3.1-2, and (e) the lateral and vertical public accessway designations in this very area that LUP Map 19 and LUP Policies 3.6-18, 3.6-5, 3.6-8, and 3.6-10 set forth.

The proposed development, which centrally involves a new and enlarged drainage facility, does not constitute an incidental public purpose pursuant to LUP Policy 3.1-4, and is not dependent on being able to develop the creek, its wetlands, or riparian habitat with culverts and fill to be able to function. We concur with local hydrologist Terry Barber's recommendation that Navarro Creek should be daylighted and restored, as the Coastal Commission has appropriately required from the Smith River to Malibu, rather than reburied in this location, by placing the highway crossing on a trestle or bridge, with an incorported walkway to advance the California Coastal Trail.

4 Attach additional sheets as necessary to fully describe the grounds for appeal.

## Appeal of local CDP decision Page 5

#### 5. Identification of interested persons

Please refer to the list provided in our appeal of Mendocino County Board action in case#

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

Interested persons identified and provided on a separate attached sheet

#### 6. Appellant certifications

Print name_	BILL HEIL	By authorized electronic printed name	_
	Bill Hail	2 By authorized electronic signature	
Signature			
Date of Sign	ature April 25. 202	22	

#### 7. Representative authorization

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary. STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION 455 MARKET STREET, SUITE 300 SAN FRANCISCO, CA 94105-2219 VOICE (415) 904-5200 FAX (415) 904-5400



### DISCLOSURE OF REPRESENTATIVES

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name

CDP Application or Appeal Number

Lead Representative

Name	
Title	
Street Address.	
City	
State, Zip	
Email Address	
Daytime Phone	
_	

Your Signature

Date of Signature

Additional Representatives (as necessary)

Title     Street Address.     City     State, Zip     Email Address     Daytime Phone     Name     Title     Street Address.     City     State, Zip     Email Address     City     Street Address.     City     State, Zip     Email Address     Daytime Phone     Name     Title     Street Address.     City     State, Zip     Email Address.     City     Street Address.     Daytime Phone     Name     Title     State, Zip     Email Address     Daytime Phone     Name     Title
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Email Address Daytime Phone Name Title
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Name Title
Name Title
Title
Street Address.
City
State, Zip
Email Address
Daytime Phone

2

Your Signature\_\_\_\_\_

Date of Signature \_\_\_\_\_

\_

### EXHIBIT 2. LIST OF CO-APPELLANTS AND AUTHORIZED ELECTRONIC SIGNATURES

MARIA HANSEN MIGUEL ELAC PO BOX 326 ALBION, CALIFORNIA 95410 wisbarhansenelac@gmail.com

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Jacob Patterson PO Box 2814 Fort Bragg, California 95437