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W12b

Filed: 10/19/23
180th Day: 04/16/24
Staff: A. Strickland-A
Staff Report: 11/21/23
Hearing Date: 12/13/23

STAFF REPORT: REGULAR CALENDAR

Application No.: 1-23-0773

Applicant: California Department of Transportation (Caltrans)
District 1

Location: An approximately 1.4-mile segment of US Highway 101 (Broadway Street) from the south Bayshore Mall entrance to the Herrick Avenue Overpass in Eureka, Humboldt County.

Project Description: Construct 1.4 miles of new Class IV separated bikeways; widen existing sidewalk and install minimal new sidewalk; install a new traffic signal and pedestrian crossing; construct two new transit stops; install new pedestrian and bicyclist lighting; remove existing striping; restripe; decrease lane widths in select locations; close five existing driveways; plant trees; and install additional complete street measures.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The California Department of Transportation (Caltrans) is proposing to improve safety, connectivity, and accessibility for non-motorized users and transit users through this Complete Streets project along Highway 101 in Eureka. The project area spans a 1.4-mile-long segment of roadway from the southern entrance of the Bayshore Mall (Post Mile 76.1) southward to the Herrick Avenue Overpass (PM 74.7), on US Highway 101 in

Eureka, also referred to as Broadway Street or the Broadway Corridor. By providing new bicycle and pedestrian facilities in this corridor, the project will allow new opportunities for multi-modal transportation.

This segment of Highway 101 is a four-lane highway with sections also having a two-way center left turn lane and runs through the middle of downtown Eureka. Currently, the project area contains essentially no bicycle facilities, inadequate sidewalks and crosswalks, and suffers transit delays. The highway is one of the busiest corridors in the state running through an urban area. It therefore has significant potential for multi-modal local and regional travel that could reduce dependency on automobile use. The route is also a principal route of the Pacific Coast Bike Route. This Complete Streets Project is one of four projects proposed to improve the Broadway Corridor through the city of Eureka, which together are part of the Eureka Broadway Multi-Modal Corridor Plan adopted by Caltrans, Eureka, and Humboldt County. These projects would propose segments of new parallel and connecting transportation facilities that would enhance corridor safety and multimodal connectivity, reduce corridor congestion, improve corridor reliability, and expand access to coastal visitor destinations, essential local services, and regional commerce.

This project proposes to reconfigure existing highway lanes, replace existing sidewalks, install new curbs and sidewalks, and construct new northbound and southbound Class IV separated bikeways through the corridor. For bike lanes, Caltrans proposes a 5-foot-wide path with a 3-footwide striped buffer with flexible bollard post vertical elements to separate the cycling lane from traffic. For traffic calming, Caltrans proposes to reduce much of the Highway 101 lanes to 11-feet in width, add some decorative median treatments, and plant some trees, all with the intent to create a distinction between rural Highway 101 and urban Highway 101 in the Eureka corridor. The project also proposes to create two new bus stop locations at Tetrault Tire Center (PM 75.55) and Pierson Building Center (PM 75.52) and proposes to restripe the existing bus stop location at McCullen Avenue to allow busses to stop entirely outside of the traffic lane. A new pedestrian crossing and associated traffic light are proposed to be installed at Hilfiker Lane (PM 75.70), and the existing pedestrian crossing at the entrance of Papa and Barkley (PM 75.30) will be modified to include a separated bicycle crossing providing access to the future connection to the Hikshari Trail. Finally, five existing driveways are proposed to be closed to improve safety and reduce the frequency and severity of collisions and the redundancy of driveways, and one driveway is proposed to be paved and made ADA compliant. Overall, the proposed project will improve safety, connectivity, and accessibility, and will encourage multimodal transportation within this segment of the Broadway Corridor. The project will improve the public's access to the services in the Broadway Corridor and enhance the public's use and enjoyment of the Eureka Waterfront Trail, part of the Humboldt Bay Trail System and the California Coastal Trail, which is a priority of the Coastal Act.

The primary Coastal Act issues raised by the proposed project relate to public access and recreation, reduction of VMTs, protection of wetlands and water quality. The project is not anticipated to impact ESHA or wetlands. **Special Conditions 2 and 3** require various BMPs to protect water quality, ESHA, and wetlands.

Regarding public access, overall the project would be a significant improvement for multimodal access, improving coastal access for non-vehicular users while reducing VMTs. There are some questions, however, about the long-term effectiveness of plastic separation barriers and whether further traffic calming measures may be appropriate in the future. Caltrans has agreed to **Special Condition 1** that requires a Multi-modal Use Monitoring Report on the effectiveness of the improvements, including a public survey and information on traffic safety data for multi-modal users. This report will provide information to Caltrans to work in partnership with the Commission and other local partners, to inform possible future complete street improvements for the corridor.

Staff believes that the project, as conditioned, includes all feasible mitigation measures necessary to find the project consistent with the Chapter 3 policies of the Coastal Act. The Motion to adopt the staff recommendation of Approval with Conditions is found on page 5.

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LIST OF EXHIBITS

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[Exhibit 3 – Project Description](#)

[Exhibit 4 – Caltrans Multimodal Analysis](#)

[Exhibit 5 – Project Layouts](#)

I. Motion and Resolution

Motion

I move that the Commission **approve** Coastal Development Permit Application No. 1-23-0773 pursuant to the staff recommendation.

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution

The Commission hereby **approves** the Coastal Development Permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or (2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions

This permit is granted subject to the following standard conditions:

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid, and development shall not commence, until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. **Multi-Modal Monitoring Update.** Two years from the completion of construction, the Permittee shall submit to the Executive Director, a monitoring report for the project corridor that includes: a) any traffic information on cycling use in the corridor and any traffic safety data Caltrans collects related to collisions and safety for multimodal users; b) a survey on multimodal user satisfaction with the improvements and recommendations; c) the status of the other Broadway Complete streets projects and coordination efforts with Eureka, Humboldt County, or the local community on active transportation improvements along Highway 101 in Eureka; and d) descriptions of any complete street improvement recommendations that Caltrans' Traffic Safety, Active Transportation, or other units have evaluated or recommended.
2. **Final Construction Plans and Construction Reporting.**
 - A. NOT LESS THAN 30 DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit for the review and written approval of the Executive Director, final site and construction plans that are consistent with the Project Description (**Exhibit 4**) and that substantially conform with the plans submitted to the Commission in the permit application and consistent with all special conditions of this CDP. The final plans shall include, at a minimum the following components:
 - i Final engineering and design plans for all improvements.
 - ii Final specific locations of all construction areas, staging areas, and construction access corridors in site plan view.
 - iii Final specification of all visual elements of the project including design, colors, and other aesthetic treatments, including the pedestrian rail, mountable medians, and any other visual elements of the development, which shall be designed to be subordinate to the natural setting through measures such as (but not limited to) visually permeable design, minimizing reflective surfaces, and use of colors that blend in hue and brightness with the surroundings.
 - iv Final landscaping plans specifying the location, type, and number of trees to be planted.
 - v Final construction schedule.
 - vi Final Transportation Management Plan (TMP), which shall limit lane closures to the maximum extent feasible, substantially conform with the draft TMP proposed in the application, and which provides for full and continuous access for pedestrians and cyclists through the work corridor.

- B. The Permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission approved amendment to this CDP unless the Executive Director determines that no amendment is legally required.
3. **Construction Responsibilities Required to Protect Coastal Resources.** The Permittee shall undertake development in compliance with all conditions of CDP 1-23-0773 and with all proposed Avoidance and Minimization Measures (AMMs) and Best Management Practices (BMPs) proposed in **Exhibit 4**, except as supplemented or modified herein, including, but not limited to, the following:
- A. **Construction Timing.** All work that has the potential to result in sedimentation and polluted runoff to coastal waters (including grading, cutting, and filling) shall take place between June 15 and October 15 unless otherwise approved in writing by the Executive Director as having no substantial impacts to coastal resources as a result of extending the timing. Soil disturbing work shall be minimized to the extent feasible during the rainy season.
- B. **Flagging of Biologically Sensitive Areas.** PRIOR TO COMMENCEMENT OF ANY DEVELOPMENT, a qualified biologist shall identify with flagging, orange construction barrier fencing, or other similar temporary means, the boundaries of riparian, wetland, and other Environmentally Sensitive Habitat Areas (ESHAs) within and adjacent to the project area. Construction equipment staging shall avoid encroachment into delineated ESHAs, except as specifically authorized by this CDP. Demarcated areas shall be inspected throughout construction to ensure that they are visible for construction personnel. If the fencing is removed, damaged, or otherwise compromised during the construction period, construction activities shall cease until the fencing is repaired or replaced.
- C. **Spill Prevention.** Fuels, lubricants, solvents, and other hazardous materials shall not be allowed to enter coastal waters or wetlands. Any fueling and maintenance of mobile equipment conducted on-site shall take place at a designated area located at least 50 feet from coastal waters and sensitive habitat. The fueling and maintenance area shall be designed to fully contain any spills of fuel, oil, or other contaminants. Hazardous materials management equipment shall be available immediately on-hand at the project site, and a registered first-response, professional hazardous materials cleanup/remediation service shall be locally available on call. Any accidental spill shall be rapidly contained and cleaned up consistent with the final SWPPP required by **Special Condition 5**.
- D. **Trash/Debris.** During construction, all trash and debris shall be properly contained, removed from the work site, and disposed of on a regular basis to avoid contamination of habitat during construction activities. Any debris inadvertently discharged into coastal waters or surrounding habitats shall be

recovered immediately and disposed of consistent with the requirements of this CDP. All construction debris shall be disposed of in an upland location outside of the coastal zone or at an approved disposal facility pursuant to the final Debris Disposal Plan required by **Special Condition 6**.

- E. **Plastic Netting Prohibition.** To minimize wildlife entanglement and plastic debris pollution, the use of temporary rolled erosion and sediment control products with plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers used in fiber rolls, erosion control blankets, and mulch control netting) is prohibited. Any erosion-control associated netting shall be made of natural fibers and constructed in a loose-weave design with movable joints between the horizontal and vertical twines.
 - F. **Night Lighting.** If night work is required, the use of artificial lighting shall be temporary and of short duration and lighting shall be shielded, pointed downward, and focused specifically on the portion of the project area actively under construction to reduce potential disturbance to sensitive species.
4. **Protection of Archaeological Resources.** The Permittee shall undertake development in compliance with the proposed measures included in **Exhibit 4** to protect archeological resources, as supplemented or modified herein:
- A. Should any tribal cultural and/or archaeological resources be encountered during project activities, the Permittee shall cease all project activities that have the potential to uncover or otherwise disturb cultural deposits and not recommence except as provided in subsection (B) hereof. An “exclusion zone” where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) in an area not less than a 60-foot-wide buffer around the discovery. The Permittee shall immediately notify the representatives of Native American Tribes on an updated Native American Heritage Commission (NAHC) list for the area. A qualified archaeologist and/or tribal cultural resource specialist shall analyze the significance of the find in consultation with the Native American Tribes listed on the NAHC list. Construction may continue outside of the exclusion zone area.
 - B. If the Permittee seeks to recommence project activities within an exclusion zone following discovery of cultural resources, the Permittee shall submit an Archaeological Protection Plan prepared in consultation with the Native American Tribes listed on the NAHC list for the review and written approval of the Executive Director. If the Executive Director approves the plan and determines that the plan’s recommended changes to the authorized development or mitigation measures are de minimis in nature and scope, project activities may recommence after this determination is made by the Executive Director in writing. If the Executive Director approves the plan but determines that the changes therein are not de minimis, construction may not recommence until after an amendment to this permit is approved by the Commission.

5. **Adherence to Water Quality Protection Measures During Construction.** The Permittee shall adhere to a suite of appropriate water quality protection standards and measures during construction. Water quality protection measures may be implemented under an approved final Stormwater Pollution Prevention Plan (SWPPP) or similar water quality protection plan that includes, at a minimum, the provisions outlined below:
- A. NOT LESS THAN 30 DAYS PRIOR TO COMMENCEMENT OF THE AUTHORIZED DEVELOPMENT the Permittee shall submit, for the review and approval of the Executive Director, a final SWPPP or similar that includes, at a minimum, the following required components:
 - i Written confirmation that the plan includes all proposed measures included in **Exhibit 4**, as supplemented or modified herein, and complies with all terms and conditions of this CDP
 - ii A construction site map delineating the construction site and the location of all temporary construction-phase BMPs (such as silt fences, fiber rolls, straw wattle dikes, compost berms, and inlet protection), staging and stockpiling areas, vehicle and equipment maintenance and fueling areas, concrete washout areas, and dewatering facilities;
 - iii A description of the BMPs that will be implemented to minimize erosion and sedimentation, control runoff, and minimize the discharge of other pollutants as a result of construction activities;
 - iv A description of how accumulated stormwater, groundwater, and surface water from excavations, temporary containment facilities, and dewatering operations would be handled and disposed of in a way that minimizes erosion and water quality impacts; and
 - v A schedule for the management of all construction-phase BMPs (including installation and removal; training for construction personnel; and ongoing operation, inspection, maintenance, and monitoring and reporting).
 - B. The Permittee shall undertake development in accordance with the approved final Plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission approved amendment to this CDP unless the Executive Director determines that no amendment is legally required.
6. **Debris Disposal Plan.**
- A. NOT LESS THAN 30 DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit, for the review and approval of the Executive Director, a plan for the disposal of excess construction debris and materials including excess fill, vegetated spoils, construction debris, and waste material. The plan shall include, at a minimum, the following:
 - i A description of the anticipated excess fill, vegetated spoils, debris, and waste material expected, which shall identify any hazardous materials;

- ii A site plan showing all proposed locations for the temporary stockpiling of construction debris, soils and vegetative spoils, excess materials, and any other debris and waste associated with the authorized work in relation to wetland and riparian areas, project features, and property lines;
 - iii A schedule for removal of stockpiled materials from the construction site and identification of all authorized debris disposal sites that will be used for lawful disposal;
 - B. The Permittee shall undertake development in accordance with the approved final Debris Disposal Plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission approved amendment to this CDP unless the Executive Director determines that no amendment is legally required.
7. **Authority to Implement Conditions of Approval.** PRIOR TO ISSUANCE OF CDP 1-23-0773, the Applicant shall submit for the review and approval of the Executive Director evidence that clearly demonstrates the legal right, interest, or entitlement to carry out the conditions of approval of CDP 1-23-0773, including but not limited to evidence the Applicant has acquired all necessary right-of-way and/or temporary construction easement(s) for properties on which the proposed development would be located.
8. **Assumption of Risk, Waiver of Liability, and Indemnity Agreement.** By acceptance of this permit, the Permittee acknowledges and agrees (A) that the site may be subject to hazards from tsunamis, storms, flooding, erosion, earth movement, and other natural hazards, which may worsen with climate change and sea level rise; (B) to assume the risks to the Permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (C) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (D) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
9. **Liability for Costs and Attorneys' Fees.** By acceptance of this permit, the Applicant/Permittee agrees to reimburse the Coastal Commission in full for all Coastal Commission costs and attorneys' fees that the Coastal Commission may be required by a court to pay that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the Applicant/Permittee against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval or issuance of this permit. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission.

IV. Findings and Declarations:

A. Project Description

The California Department of Transportation (Caltrans) District 1 proposes to improve safety, connectivity, and accessibility for non-motorized users and transit users through the development of the “South Broadway Complete Streets Project” along Highway 101 and Broadway Street in the southwestern end of Eureka. The project area spans 1.4 miles from the southern entrance of the Bayshore Mall (post mile 76.1), southward to the Herrick Avenue Overpass (post mile 74.7) along US Highway 101, also referred to as Broadway Street. This stretch of roadway is one of the busiest corridors of the State Highway System within District 1, serving local, regional, and interregional traffic.

This section of the corridor is a four-lane highway (plus center turn lane along parts of this segment) that extends through a heavily trafficked commercial district of Eureka. The existing transportation corridor requires bicyclists to ride within the highway shoulder, has incomplete and inadequate sidewalks, and few crosswalks and pedestrian crossings. Further, there are only two existing transit stops, and no dedicated transit lanes (which leads to transit routes generally running behind schedule due to the inability to merge back into traffic after making stops). Due to these conditions, the project area has high vehicle/pedestrian collision rates, those who live or work in surrounding residential communities located primarily east of the road system as well as regional commuters are discouraged from utilizing active transportation to access commercial businesses on Broadway, transit on Broadway, and the regional trail network, including the California Coastal Trail located west of the road system. The project proposes the following improvements:

1. Bicyclist Improvements:

- Construct bicycle/pedestrian railing/fencing on the Herrick Avenue overcrossing and restripe the overcrossing to provide multimodal access to the Hikshari’ Trail (a segment of the California Coastal Trail).
- Construct a Class IV bikeway for the entire corridor from Herrick Avenue to the south Bayshore Mall entrance consisting of a 5-foot-wide path with a 3-footwide striped buffer with flexible bollards, similar to the bikeway shown in the photo below, although the bollards are proposed to be white.



2. Pedestrian Improvements

- Adjust/maintain short segments of accessible pedestrian sidewalks to conform to the new Class IV bikeway at northbound PMs 75.6/76.0 (near Tetrault Tire Center) and southbound PMs 75.5/76.1 (near Pierson Building Center)
- Adjust locations of pedestrian signals at PM 75.2 (Papa & Barkley entrance) and PM 75.5 (Pierson Building Center/Tetrault Tire) to be closer to the US 101 pedestrian and bicycle crossing.
- New sidewalk will be installed at the five locations where driveways are being closed, discussed in greater detail below.

3. Transit Improvements

- Construct new bus stops at the following locations:
 - 1) Southbound: immediately south of Pierson's (PM 75.52) 01-0K940 Broadway Complete Streets 5 Coastal Development Permit Application October 19, 2023.
 - 2) Northbound: in front of Tetrault Tire (PM 75.55).
- Move the northbound bus stop at Broadway and McCullen Avenue closer to McCullen Avenue. The southbound bus stop at McCullen Avenue would remain, and the reconfigured striping would allow buses to stop entirely outside of the traffic lane rather than the existing configuration, which requires southbound buses to stop partially in the number two lane.

4. Traffic Calming Measures

- Decrease travel lanes from 12 feet to 11 feet wide for much of the project corridor and associated restriping of the roadway.

- Install new traffic signal at Hilfiker Lane (PM 75.7).
- Add decorative (mountable) median treatments at select locations (not interfering with emergency vehicle access or vehicle turning movements) to alert motorists of the change from freeway to city surface streets, encouraging reduced motorized vehicle speed.
- Landscaping trees would be planted to further alert motorists of the change from freeway to city surface streets, encouraging reduced motorized vehicle speed.

5) Access Control

- Reduce the number of redundant driveways to commercial businesses that access the Broadway Corridor. Five existing driveways would be closed, and new sidewalks will be installed. One existing driveway would be paved and made ADA compliant:
 1. Closure of north driveway at Patriot (APN: 019-211-021-000).
 2. Closure of north driveway at Tetrault Tire Company (APN: 019-211-020-000).
 3. Closure of south driveway at AT&T (APN: 008-111-001-000).
 4. Closure of south driveway at 3534 Broadway (APN: 007-093-009-000).
 5. Closure of north driveway at O'Reilly Auto (APN: 008-101-008-000).
 6. Driveway improvement at Carole Sund (APN: 302-171-035-000).

Construction Methods and Timing

Construction activities are anticipated to begin in November 2024 and extend to December 2025. Construction will occur ten hours per day, five days per week. Night work will typically begin as early as 8:00 p.m. and end by 6:00 a.m.

Public Outreach and Related Projects

The proposed project is part of the larger Broadway Multimodal Corridor Plan ([BMCP](#)) published in 2021 by the Humboldt County Association of Governments in coordination with the City of Eureka and Caltrans.¹ The BMCP envisions safety and operational improvements for the entire approximately 3-mile-long stretch of Highway 101/Broadway Street, from the southern end of the subject property area north to Fourth Street. The first public meeting on the BMCP was held in November 2019, garnering over 100 participants. Stakeholder focus meetings began in March of 2020, and in June of 2020 an online questionnaire was sent to businesses along the corridor, which received 139 responses. A second public meeting was held virtually in August of 2020 with approximately 66 attendees.

¹ A copy of the BMCP is available from the City's website: <https://www.eureka.gov/DocumentCenter/View/691/Broadway-Multimodal-Corridor-Plan-PDF?bidId=>

The first external stakeholder meeting for this project, South Broadway Complete Streets, was held in January of 2021, and three additional stakeholder meetings were held between April 2021 and May 2021. A full Project Development Team meeting was held on January 26, 2022, at which time external stakeholders were invited to review the proposed project plans and schedule.

Between August and October of 2022, Caltrans completed a *Community Impact Assessment* which included interviewing business owners, business staff, and roadway users, in-person, by phone, and by email. Finally, a virtual public meeting was held on February 16, 2023, which Caltrans advertised in local newspapers including the Times Standard and North Coast Journal, garnering 48 attendees. Caltrans also received and responded to public comments submitted on the project's website, met individually with stakeholders, and participated in local media outreach events.

Features of this project also were included in a "pop-up" demonstration project implemented by Caltrans in 2023, which temporarily installed project components with the intent of providing travelers along Broadway with an understanding of planned improvements, to receive feedback from stakeholders and community members, and allow for adjustments to project design. The following improvements were included in the pop-up demonstration:

- Closure of acceleration and deceleration lanes at Papa & Barkley
- Closure of the acceleration lane at the southern Bayshore Mall intersection
- Temporary curb extensions between Papa & Barkley and southern Bayshore Mall intersection
- Closure of the median near Papa & Barkley and near Hilfiker Lane

Although Caltrans has not finalized project designs for all segments of the BMCP, some current proposals include the following:

- The Koster Couplet Project (EA 01-0H830), which would create a separated multimodal pathway, protected by hard barriers and landscaping, from PM's 77.20 to 78.11.
- Broadway Complete Streets Shared Use Path project (EA 01-0L780), which proposes a Class I shared use path from PM 74.8 to PM 75.2, connecting Herrick Avenue with the Hikshari' trail and current Broadway facility at Papa & Barkley (PM 75.24)
- Broadway ADA Improvements Project (01-0B620) was completed in 2023, filling sidewalk gaps and bringing driveways and curb ramps to ADA standards.
- 5th Street Combine Project (01-0H20U), currently under construction, is upgrading two additional driveways within the 01-0K940 project limits to ADA standards.

B. Standard of Review

Portions of the proposed project will occur within the Coastal Commission's retained CDP jurisdiction, while the remainder of the project is located within the City of Eureka and the County of Humboldt's LCP jurisdiction. Under Coastal Act Section 30601.3, when a project requires a CDP from both a local government with a certified local coastal program and the Commission, the Commission may process a consolidated CDP application for the proposed development when the applicant, the local government, and the Commission's Executive Director agree to process the CDP as a consolidated CDP. In this case, the City and County each submitted letters to the Commission authorizing the consolidated coastal development permitting process. Caltrans provided copies of these letters to Commission staff with the subject CDP application and also requested the consolidation, and the Commission's Executive Director agreed to the consolidation. The standard of review for a consolidated CDP application is the Chapter 3 policies of the Coastal Act. The LCPs may be used as guidance.

C. Property Acquisitions

The proposed project would require the acquisition of small slivers of permanent right-of-way (ROW), and several permanent highway easements, and temporary construction easements. Acquisition of approximately .07 acres of permanent highway right of way (ROW) is required to construct two new bus stop locations (PM 75.52 and 75.55), reconstruct portions of a signal system (PM 75.5), and construct relocated sidewalk (PM 75.52).

Five temporary construction easements (TCE) are required to pave the driveway at the Carole Sund Center (PM 75.12), pave and restripe at the Papa & Barkley intersection (PM 75.3), pave and conform the sidewalk at Chins Café (PM 75.50), and restripe pavement at the south Bayshore Mall entrance (PM 76.06). Lastly, permanent utility easements are required from private property owners for new electrical equipment in five locations at the Papa & Barkley (1), Pierson Building Center (1), Tetrault Tire Center (1), and the south Bayshore Mall signals (2), Caltrans has not yet submitted copies of the TCE's and ROW acquisitions necessary to implement the project; therefore, **Special Condition 8** requires that copies of the acquisition or TCE, or other sufficient evidence of a legal right, interest, or other entitlement to use the property for the proposed development as conditioned, be submitted prior to the issuance of this permit.

D. Public Access

Coastal Act section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act section 30211 states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Coastal Act section 30212(a) states, in part:

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected.

Coastal Act section 30252 states, in part:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, ... (3) providing nonautomobile circulation within the development, ... (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings....

The project proposes to install 1.4 miles of new Class IV bikeways, install new sidewalk, provide additional transit stops, and implement other traffic calming and access control measures. In this way, the project will overall benefit public access by improving access along this coastal highway for all users, including multimodal access and public transit users. As mentioned above, Highway 101 through Eureka is one of the busiest corridors of the State Highway System within District 1, serving local, regional, and interregional traffic, and is a popular portion of the Pacific Coast Bike Route. Measures are also proposed to reduce corridor congestion, improve corridor reliability, and expand access to coastal visitor destinations, essential local services, and regional commerce.

The project is consistent with transportation goals of the City of Eureka LUP, which has the following goals related to Transportation and Circulation:

- Public transit Goal 3.B: *To provide coordinated transit service within Eureka and surrounding areas as an alternative to automobiles.*
- Bicycle Transportation Goal 3.C: *To encourage the use of the bicycle as an alternate, energy efficient mode of transportation within the city and to develop a system of bikeways and bicycle parking facilities which will safely and effectively serve those wishing to utilize bicycles for commute or recreational trips.*
- Pedestrian Transportation Goal 3.D: *To encourage and facilitate walking throughout the city.*

In addition, the project will provide improved access to the Humboldt Bay Trail system and the California Coastal Trail (CCT). The trail runs roughly parallel to the project but

to the west, along Humboldt Bay. The proposed new traffic signal and pedestrian crossing at Hilfiker Lane will provide the public with a safe way to cross the Highway and access the CCT (at the Hikshari Trail trailhead) at the foot of Hilfiker Lane. New curbs and pedestrian striping at Truesdale Street will also improve pedestrian access to the Hikshari' Trail Truesdale Vista Point. The proposed pedestrian highway crossing at Hilfiker Lane and the existing highway crossing located at the Papa & Barkley entrance (PM 75.20) will be restriped to include a separated bike crossing. Finally, the Herrick Avenue overpass will be restriped to include new Class IV bikeways and bicycle crossings, and a new pedestrian handrail will be installed on the existing bridge railing.

Overall, the project represents a substantial improvement for public access in the corridor because the project improves multimodal transportation and expands public access for all potential users, including those not utilizing automobiles. Multimodal users will have expanded and safer opportunities to access coastal recreation points throughout the corridor, as well as to generally travel in the coastal zone without reliance on automobiles. Thus, the project is broadly consistent with Section 30210's goal to maximize public access, as well as Section 30252's goals to improve transit and provide non-automobile circulation. The project will not interfere with public access in conflict with 30212 or other public access provisions of the Coastal Act.

While the project represents a significant improvement on existing conditions for multimodal and active transportation in the Eureka Broadway corridor, there are questions about the long-term multimodal benefits this project seeks to create. The project proposes plastic bollards on a 3-foot-wide delineated separating space to protect the bike lanes, which is a major improvement on existing conditions. However, hard barriers would offer better protection from traffic than plastic bollards, especially in the context of a fairly fast moving 4-lane freeway. The eventual installation of hard barriers would further increase the sense of safety for multi-modal users. The project also proposes some traffic calming measures, which are a notable improvement, including some lane narrowing, some bus islands, and some median constructions. However, there are additional traffic calming measures available that may better help to slow traffic speeds and improve multi modal user safety in the corridor. Additional landscaped medians in particular could offer further traffic calming and corridor beautification. The project has some tree planting, but additional tree planting, especially in conjunction with separated bike lanes, could further improve multimodal safety and corridor beautification. There are also other pending projects to improve multi modal use in the same corridor, which although Caltrans has not finalized designs, obtained project funding, or secured project permits, do currently propose hard barriers with vegetation. Thus, while the project offers substantial multimodal improvements at this time that should proceed through permitting and construction as rapidly as possible, there may be other long-term opportunities for improvements that could still benefit this corridor section. Coastal Commission staff and Caltrans staff are currently working together to improve multimodal transportation through the North Coast/Caltrans District 1, both at the district level and through the Caltrans state active transportation program. Monitoring these multimodal improvements would allow both agencies to judge how effective the improvements are in actually encouraging safe active transportation and

informing what future multimodal, complete street, or traffic calming measures may be needed or appropriate for this corridor. Therefore, to monitor the benefits of the public access improvements anticipated from the project in terms of bicycle safety improvements and multimodal user satisfaction, Caltrans has agreed to submit a Multimodal Use Monitoring Report to the Commission two years from the date of completion of construction. As required by Special Condition 1, this report will among other things provide an update on the status of the other projects proposed in the corridor in addition to any complete street improvements that Caltrans' Traffic Safety, Active Transportation, or other units have evaluated or recommended. Caltrans has committed to working in partnership with Commission staff to explore future improvements to this corridor, in conjunction with the other Eureka Broadway corridor complete street improvements.

Temporary Staging and Traffic Impacts

Caltrans is proposing to utilize the Herrick Avenue Park and Ride for staging and stockpiling. The Herrick Avenue Park and Ride provides commuter parking as well as parking for the public seeking to access the California Coastal Trail. Of the 41 existing parking spaces Caltrans will require 28 spaces, leaving 11 regular parking spaces and both ADA parking spaces for use by the public. Therefore, the staging will have some temporary impacts to the park and ride lot, but the lot will remain open and Caltrans states that the remaining access should be sufficient for current demand. Pedestrian and bicycle access between Herrick Avenue and the Hikshari' Trail will be maintained at all times.

While construction will require temporary, short-term traffic delays, at least one lane of traffic will remain open, and travelers and emergency service providers will be notified in advance of construction activities. As mentioned above, construction is anticipated to occur between November 2024 and December 2025. Construction will occur ten hours per day, five days per week. Night work will typically begin as early as 8:00 p.m. and end by 6:00 a.m.

To minimize traffic and construction related impacts, Caltrans submitted a draft Transportation Management Plan (TMP), which proposes the following:

- Roadway closures on US 101 with one through-traffic lane open in each direction:
 - 8PM-6AM Sunday PM-Thursday AM
- When work on the Herrick Avenue Overhead occurs, Herrick Avenue entrance and exit ramps to US 101 would be completely closed:
 - 8PM-6AM Sunday PM-Thursday AM
 - A ramp detour plan would be created
- When work Herrick Avenue Overhead occurs, there would be reversing traffic control (11 foot lane) on EB-WB Herrick Avenue:
 - 8PM-6AM Sunday PM-Thursday AM

- Bicycles must be accommodated through construction.
 - Bicycle regulatory or warning signs must be included to alert road users of potential motorist/bicyclist conflicts.
 - During reversing control using flaggers, bicyclists must be instructed to join the vehicle queue.
 - During lane reduction traffic control, bicyclists must be provided space adjacent to the open traffic lane to traverse through the work zone (e.g. 5 ft of delineated space).
- Pedestrians must be accommodated through the work zone.
 - Pedestrian detours (maximum detour length of 2 city blocks) must be required when sidewalks and/or crosswalks are not available for public travel.

Signage will be in place in advance of construction to notify motorists and bicyclists. Portable Changeable Message Sign boards may be used in place of advance flaggers during hours of darkness.

Caltrans proposes to prepare a Transportation Management Plan (TMP) consistent with these terms, and subpart A-v of **Special Condition 2** requires that a final TMP be submitted for the Executive Director's review and approval prior to commencement of construction. The Transportation Management Plan must also provide for full and continuous access for pedestrians and cyclists through the work corridor.

Therefore, as the project will have only minor, temporary impacts to public access through traffic delays during construction but over the long-term will improve public access by ensuring the safe and continued operation of this section of Highway 101, a vital coastal public access roadway, the Commission finds that the proposed project, as conditioned, is consistent with the public access policies of the Coastal Act.

E. Protection of Water Quality

Section 30230 of the Coastal Act states as follows:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states as follows:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of

waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232 of the Coastal Act states as follows:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Coastal Act Sections 30230, 30231, and 30232 require protection and, where feasible, restoration of marine resources, as well as the maintenance of the biological productivity and quality of coastal waters and wetlands.

Caltrans proposes a number of avoidance and minimization measures and best management practices attached as **Exhibit 4**. These include, but are not limited to, (1) spill prevention and clean-up measures for construction equipment, (2) proper concrete curing and finishing procedures, and (3) use of temporary sediment control and soil stabilization devices. These measures are required to be implemented under **Special Condition 3**. Furthermore, **Special Condition 5** requires preparation of a water quality protection plan prior to commencement of construction.

Debris Management and Disposal

The project is anticipated to impact sites on the Cortese list, which is the Hazardous Waste and Substance List that provides information on the location of hazardous materials release sites in the state. Caltrans completed a Preliminary Site Investigation in July 2022 to address potential concerns of aerielly deposited lead (ADL), petroleum hydrocarbons, and Title 22 metals from leaking underground storage tanks.

Contamination is not expected to be encountered in any areas to be acquired. **Special Condition 6** requires submittal of a final debris disposal plan prior to commencement of construction. The plan requires that all temporary stockpiles of construction debris, excess sediments, vegetative spoils, and any other debris or waste associated with the authorized work shall be feasibly contained with appropriate BMPs to prevent any discharge of pollutants to surrounding coastal waters and wetlands. Caltrans has not provided any specific details on debris disposal for the project, as this information normally is determined by the Caltrans contractor at the time of construction. The plan must list the names of all authorized disposal site(s) where materials will be lawfully disposed of and that describes the manner and schedule by which the materials will be removed from the construction site and transported for disposal. Additionally, the SWPPP discussed above will include information on any temporary stockpiling areas and associated BMPs to minimize erosion and the potential discharge of pollutants.

For the reasons discussed above, the Commission finds that the development, as conditioned, will maintain marine resources and the biological productivity and quality of coastal waters consistent with Coastal Act sections 30230, 30231, and 30232.

F. Protection of Adjacent Environmentally Sensitive Habitat Areas

Section 30240 of the Coastal Act states as follows:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas and shall be compatible with the continuance of those habitat and recreation areas.

The Coastal Act defines environmentally sensitive habitat areas (ESHAs) as areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Section 30107.5).

Caltrans conducted a biological study of the project area and determined that there are no sensitive species, wetlands, or watercourses within the project limits. However, wetlands were identified immediately adjacent to a portion of the project area. A forested, seasonally flooded, freshwater wetland borders the western side of the southbound lane between PM 75.34 to PM 75.06. There is also an emergent wetland bordering the environmental study limits on the eastern side of the northbound lane between PM 74.7 and 75.06. No work is proposed within these wetlands, and all construction activities will maintain a minimum 5-foot buffer from the wetlands. Proposed work occurring adjacent to each wetland buffer area includes micro surfacing and restriping.

Caltrans proposes (and **Special Condition 3-B** requires) placement of temporary Environmentally Sensitive Area fencing in the following locations prior to the start of construction to prevent impacts to wetlands from adjacent work activities:

- On the southbound slope behind existing sidewalk between Papa & Barkley and Eureka Chrysler/Dodge Service Center (PM 75.34/75.06), to prevent impacts to wetlands from the light pole installations occurring within the existing sidewalk (Figure 2).
- Between the existing pavement and the drainage along the southbound US 101 exit ramp toward Herrick Avenue (Figure 3).

As conditioned, the project is not anticipated to impact ESHA adjacent to the project area. For the reasons discussed above, the Commission finds that the proposed project as conditioned will prevent impacts that would significantly degrade adjacent wetland ESHA consistent with section 30240 of the Coastal Act.

G. Archaeological Resources and Tribal Consultation

Section 30244 of the Coastal Act states as follows:

Where development would adversely impact archeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

The project area lies within the traditional territory of the Wiyot Tribe. At the time that Euro-Americans first made contact in this region, the Wiyot lived almost exclusively in villages along the protected shores of Humboldt Bay and near the mouths of the Eel and Mad Rivers. Three federally recognized Tribes in the region – the Wiyot Tribe, the Blue Lake Rancheria, and the Bear River Band of the Rohnerville Rancheria – include citizens of Wiyot ancestry that are culturally affiliated with the greater Humboldt Bay region Wiyot ethnographic area as mapped by the Tribes.

Caltrans completed a Cultural Memo for this project on August 3, 2022, and conducted tribal consultation, as required by law and Caltrans policies. The results of the completed foot survey, literature review, and Native American consultation indicate cultural resources are not likely to be present within the project footprint due to project limits being mostly confined to previously disturbed areas. Cultural resources were not observed during any field surveys. None of the archival literature or past studies indicated the presence of cultural resources. Caltrans contacted the relevant Native American tribes by email on June 7, 2022. Representatives from all tribes responded with requests that Caltrans follow standard guidance and protocols for inadvertent discovery. Caltrans has proposed standard protection measures and inadvertent discovery measures with its proposed AMMs, as recommended by the tribes.

Consistent with the Commission's Tribal Consultation Policy, Commission staff reviewed the tribal consultation undertaken by Caltrans and also conducted outreach (on November 6, 2023) to the tribal representatives and individuals identified by the NAHC to offer consultation and solicit feedback on the proposed application. To date, Commission staff have received no response.

To reinforce Caltrans' proposed measures to protect any sensitive archaeological resources in the project area, the Commission includes **Special Condition 4 (Protection of Archaeological Resources)** requiring that in the event of an inadvertent discovery, Caltrans shall cease all project activities in the immediate area, establish an exclusion zone where unauthorized equipment and personnel are not permitted, and notify the representatives of all potentially relevant tribes as determined by the NAHC. A qualified archaeologist and/or tribal cultural resource specialist should analyze the significance of the find in consultation with the Native American Tribes listed on the NAHC list. To recommence project activities within the exclusion area following the discovery of cultural resources, Caltrans shall submit, for Executive Director review and approval, an Archaeological Protection Plan developed in consultation with the representatives of the relevant tribes. The Executive Director will subsequently respond in writing with a determination of whether the plan's recommended changes or mitigation measures are de minimis, or if an amendment to this CDP is required.

In conclusion, based on the findings of Caltrans' records search and surveys, the tribal consultation and outreach performed by Caltrans and the Commission; as well as the cultural resource protection protocols that will be implemented by Caltrans as part of the project, the Commission finds that the proposed project, as conditioned, includes reasonable mitigation measures to protect archaeological resources consistent with Coastal Act section 30244.

H. Minimizing Energy Consumption and Vehicle Miles Traveled

Coastal Act Section 30253(d) states in part:

New development shall:

(d) Minimize energy consumption and vehicle miles traveled.

Section 30253(d) requires projects to minimize energy consumption impacts to coastal resources, such as caused by greenhouse gas ("GHG") emissions, and to minimize vehicle miles traveled (VMTs). Caltrans estimates the short-term construction activities for this 1.4-mile segment of road to generate 207 metric tons of GHG emissions over 180 construction days. Emissions are produced as a result of material processing, construction equipment, and traffic delays due to construction. There will be no increase in operational emissions as there are no proposed changes in the capacity of the roadway. Overall, given the project is primarily focused on improving multimodal transportation including new protected bike lanes and pedestrian improvements, the project will result in the long-term reduction of VMTs and GHG emissions. Improvements to pedestrian and bicyclist safety, connectivity, and level of comfort, as well as accessibility and performance of public transit, are anticipated to encourage roadway users to choose non-motorized options and/or public transportation.

Therefore, for the reasons discussed above, the Commission finds that the proposed project is consistent with section 30253(4) of the Coastal Act.

I. Coastal Hazards

Coastal Act section 30253 states in part:

New development shall do all of the following:

- a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Coastal Act section 30270 states:

The commission shall take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify,

assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.

Caltrans submitted a SLR analysis of the project consistent with the Commission's 2018 SLR Policy Guidance. That guidance provides SLR projections for 12 tide gauges in the state and recommends using the projections for the gauge closest to the project site. The guidance includes a "low-risk aversion" scenario, a "medium-high risk aversion" scenario, and an "extreme risk aversion" scenario. In the case of critical infrastructure, such as highways, the Commission generally considers the full potential threat of SLR under the extreme risk aversion scenario, though projects may be designed to accommodate lower projections under the medium-high risk scenario.²

This segment of US Highway 101 is located adjacent to tidelands and wetlands associated with Humboldt Bay and ranges in elevation from (NAVD 88) 13.0 to 20.0 feet. The "lifespan" of the project elements range from 5 years (e.g., new pavement to 25 years (e.g., sidewalk improvements). The amount of SLR projected at the North Spit tide gauge for the year 2100 ranges from 1.5 feet (under the "low-risk aversion" scenario) to 2.3 feet (under the "medium-high risk aversion" scenario) to 3.1 feet (under the "extreme risk aversion" scenario). Current maximum tidal elevations are approximately 9 feet. Adding 3.1 feet for the year 2050 projection would bring maximum tide elevations to 12.1 feet, which would be below the lowest segments of US 101 here at 13 feet, therefore SLR flooding would not be expected to affect these improvements within their anticipated lifetime.

SLR of meeting or exceeding 4 feet would expose the lowest segments of this corridor to potential flooding. Under the CCC 2018 Guidance and North Spit projections, this could occur between 2060 (under the extreme risk aversion scenario) and 2100 (under the low-risk aversion scenario).

Overall, while this section of Highway 101 likely will experience some SLR related impacts later in this century, the proposed improvements have a shorter lifespan that likely will necessitate replacement or adaptation measures before the end of the century. The multimodal improvements themselves do not increase the risk to life or property from flood hazards. Moreover, the multimodal improvements do not contribute to, or otherwise change, the analysis and adaptation decision that will come for this transportation corridor. The multimodal improvements by themselves do not require the construction of protective devices for shoreline armoring, rather the highway as a whole will be considered for adaptation in the future.

For the reasons discussed above, the Commission finds that the proposed project as conditioned is consistent with section 30253 and 30270 of the Coastal Act.

² The Ocean Protection Council is currently updating its guidance and projections based on the most recent climate change and sea level rise science. It is anticipated that the new OPC guidance will be released in the new year, and the Coastal Commission will update its own guidance soon thereafter.

J. Reimbursement of Costs and Fees

Coastal Act Section 30620(c)(1) authorizes the Commission to require applicants to reimburse the Commission for expenses incurred in processing CDP applications. See also 14 C.C.R. § 13055(g). Thus, the Commission is authorized to require reimbursement for expenses incurred in defending its action on the pending CDP application. Therefore, consistent with Section 30620(c), the Commission imposes **Special Condition 10 (Liability for Costs and Attorneys' Fees)** requiring reimbursement of specified costs and attorneys' fees the Commission incurs in connection with the defense of any action brought by a party other than the applicant/Permittee challenging the approval or issuance of this permit.

K. California Environmental Quality Act (CEQA)

Caltrans served as the lead agency for California Environmental Quality Act (CEQA) purposes for the bridge replacement project. Caltrans prepared an Initial Study and adopted a Mitigated Negative Declaration for the project on December 22, 2021.

The Commission's regulatory program for reviewing and granting CDPs has been certified by the Resources Secretary to be the functional equivalent of environmental review under CEQA. (14 CCR § 15251(c).) Section 13096 of Title 14 of the Commission's regulations requires Commission approval of CDP applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirement of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits approval of a proposed development if there are any feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect the proposed development may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. No public comments regarding potential significant adverse environmental effects of the project were received by the Commission prior to preparation of the staff report. As discussed above, the proposed project has been conditioned to be consistent with the policies of the Coastal Act. As specifically discussed in these above findings, mitigation measures that will minimize or avoid all significant adverse environmental impacts have been required. As conditioned, there are no other feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative, has no remaining significant environmental effects, either individual or cumulative, and complies with the applicable requirements of the Coastal Act to conform to CEQA.

1-23-0773 (Caltrans)

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

1. CDP Application File No. 1-23-0773
2. City of Eureka Certified Local Coastal Program