

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
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ARCATA, CA 95521  
VOICE (707) 826-8950  
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Th11a

A-1-FTB-23-0002 (CALTRANS DISTRICT 1 - FORT BRAGG)

APRIL 13, 2023

CORRESPONDENCE

Appeal No. A-1-FTB-23-0002 (Caltrans, Fort Bragg)

Item 11a. Appeal by Jacob Patterson and Annemarie Weibel of decision of City of Fort Bragg granting permit with conditions to Caltrans to construct the Fort Bragg ADA Improvement Project along Highway 1 (Main Street) between Highway 20 (post mile 59.80) and Elm Street (PM 62.10) involving various transportation facility improvements (including, but not limited to, sidewalks, crosswalks, drainage improvements, and retaining walls) to improve the transportation corridor consistent with Americans with Disabilities Act (ADA) standards, Fort Bragg, Mendocino County.

To the Coastal Commissioners,

The substantial issues in regards to this project that the appellants have are how this project concerns or interferes with regional and statewide concerns as well as its implications to recreation.

From <https://documents.coastal.ca.gov/assets/coastalvoices/IntroductionToCoastalAct.pdf>

The Coastal Act guides how the land along the coast of California is developed, or protected from development. It emphasizes the importance of the public being able to access the coast, and the preservation of sensitive coastal and marine habitat and biodiversity. It dictates that development be clustered in areas to preserve open space, and that coastal agricultural lands be preserved. It prioritizes coastal recreation as well as commercial and industrial uses that need a waterfront location. It calls for orderly, balanced development, consistent with these priorities and taking into account the constitutionally protected rights of property owners. The Coastal Act defines the area of the coast that comes under the jurisdiction of the California Coastal Commission, which is called the “coastal zone.”

The Coastal Act prioritizes the public’s right to access the shoreline (30210 to 30214): [M]aximum 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.

New public access is encouraged in the Coastal Act: 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.

The appellants emphasize that due to this project disruption to coastal access through Ocean View Drive and Elm Street will exist during construction and. This was not addressed. With this project there is no ADA available access provided to one of Fort Bragg’s major coastal resources, the Coastal Trail, which was argued in Tiffany Ferris’ prior appeal on behalf of her daughter Lilli Varela who relies on a wheelchair.

To illustrate our point we are including map OS-4, the existing and proposed parks and recreational facilities in Fort Bragg.

The Coastal Act recognizes the importance of maintaining adequate water quality for coastal zone organisms and human health (30231): 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 waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

As mentioned in the appeal of Annemarie Weibel stormwater runoff should be cleaned first, and permeable materials and swales should be used. The policies OS-11.1, OS-11.2, OS-11.5, OS-11.6, and OS-11.9 are not consistent. We maintain that the approved project may result in water quality impacts because the proposed BMPs appear to be inadequate and inconsistent with the certified LCP.

It is unfortunate that due to budgetary reasons the projects funded and carried out at different times by different entities (Caltrans and the City of Fort Bragg) will result in a piecemealed mismatch of styles and prolong the disruption of life for this community already affected by the various other projects like the Pudding Creek Widening and Rail Upgrade. See attachments that show the projects funded by the City of Fort Bragg.

The staff report mentions that “In the November 2022 project description, Caltrans noted that the project had been modified in terms of scope and size as compared to previously submitted application and indicated other updates to the plans and layouts. The project plans that were considered at the time that the City initially acted on the application were of sufficient detail to determine project compliance with the LCP requirements.”

The appellants disagree as only do to the two appeals and constant feedback either in person, by zoom/telephone, and through written public comments has the project improved over time.

Various surveys like the rare plant and wetland investigations conducted by Caltrans biologists on May 10, 2019, June 13, 2019, and July 31, 2019, as well the host plant surveys and habitat assessment for the Behren's silverspot butterfly (BSSB) (*Speyeria zerene behrensii*) and lotis blue butterfly (LBB) (*Lycaeides argyrognomon lotis*) conducted by Caltrans biologists on March 22, 2019, and May 10, 2019 are outdated. Also the boring tests from 2011 are no longer relevant.

For the reasons discussed above the appellants find that valid grounds still exist for this appeal; that they raise a substantial issue of conformance of the approved development, and request that you find that there is a substantial issue with this project.

Thank you, Annemarie Weibel and Jacob Patterson



DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
01	Men	1	59.8/62.1		

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

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.



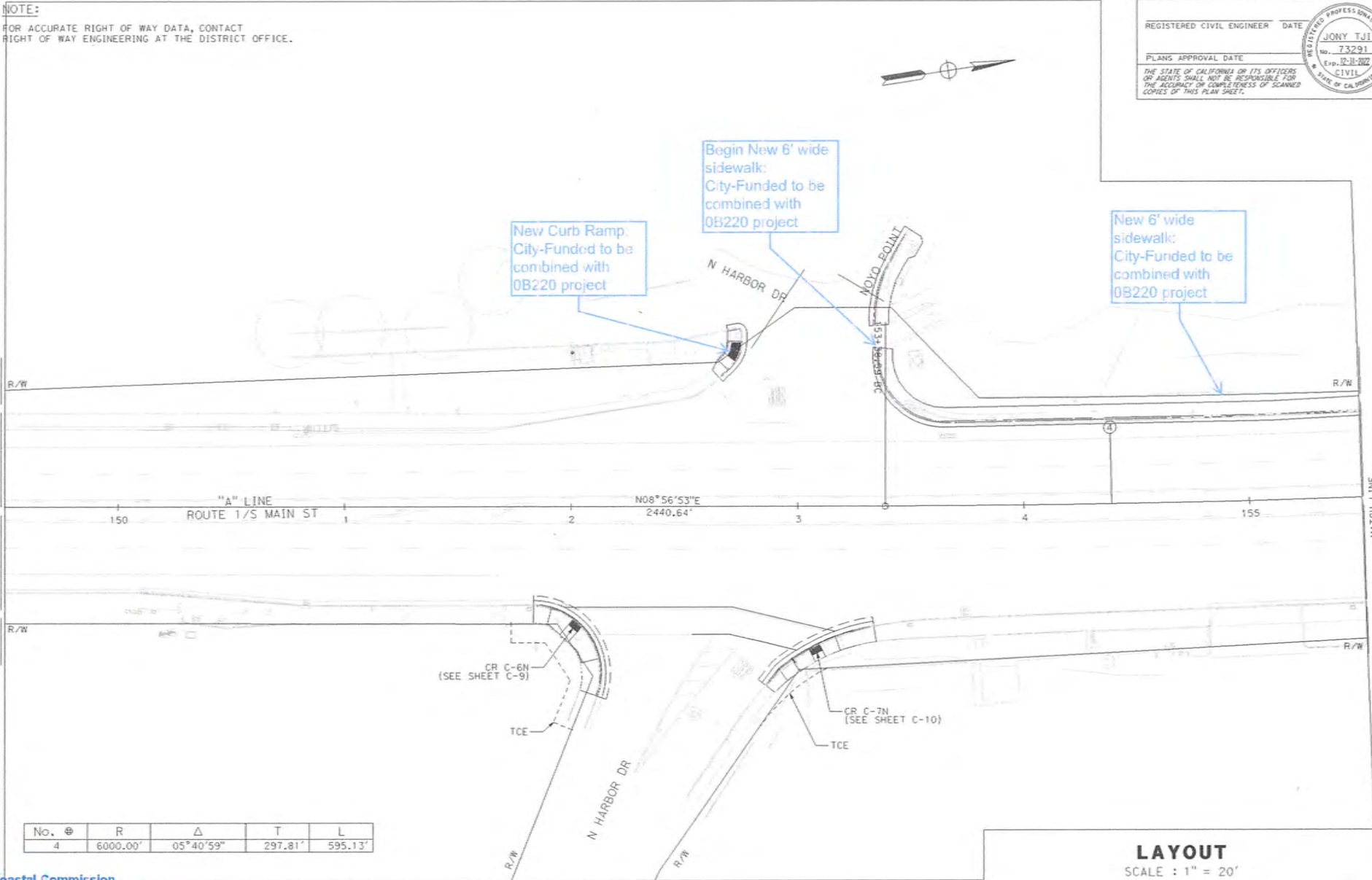
**NOTE:**  
FOR ACCURATE RIGHT OF WAY DATA, CONTACT  
RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.



New Curb Ramp.  
City-Funded to be  
combined with  
0B220 project

Begin New 6' wide  
sidewalk:  
City-Funded to be  
combined with  
0B220 project

New 6' wide  
sidewalk:  
City-Funded to be  
combined with  
0B220 project



No. Ⓢ	R	Δ	T	L
4	6000.00'	05°40'59"	297.81'	595.13'

**LAYOUT**  
SCALE : 1" = 20'

REVISOR: AVINASH HALLA  
DESIGNER: JONY TJI  
CHECKED BY: ELIAS KARAM  
FUNCTIONAL SUPERVISOR: ELIAS KARAM  
03-DESIGN

NOTE:  
FOR ACCURATE RIGHT OF WAY DATA, CONTACT  
RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
01	Men	1	59.8/62.1		

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER  
JONY TJI  
No. 73291  
Exp. 12-31-2022  
CIVIL  
STATE OF CALIFORNIA

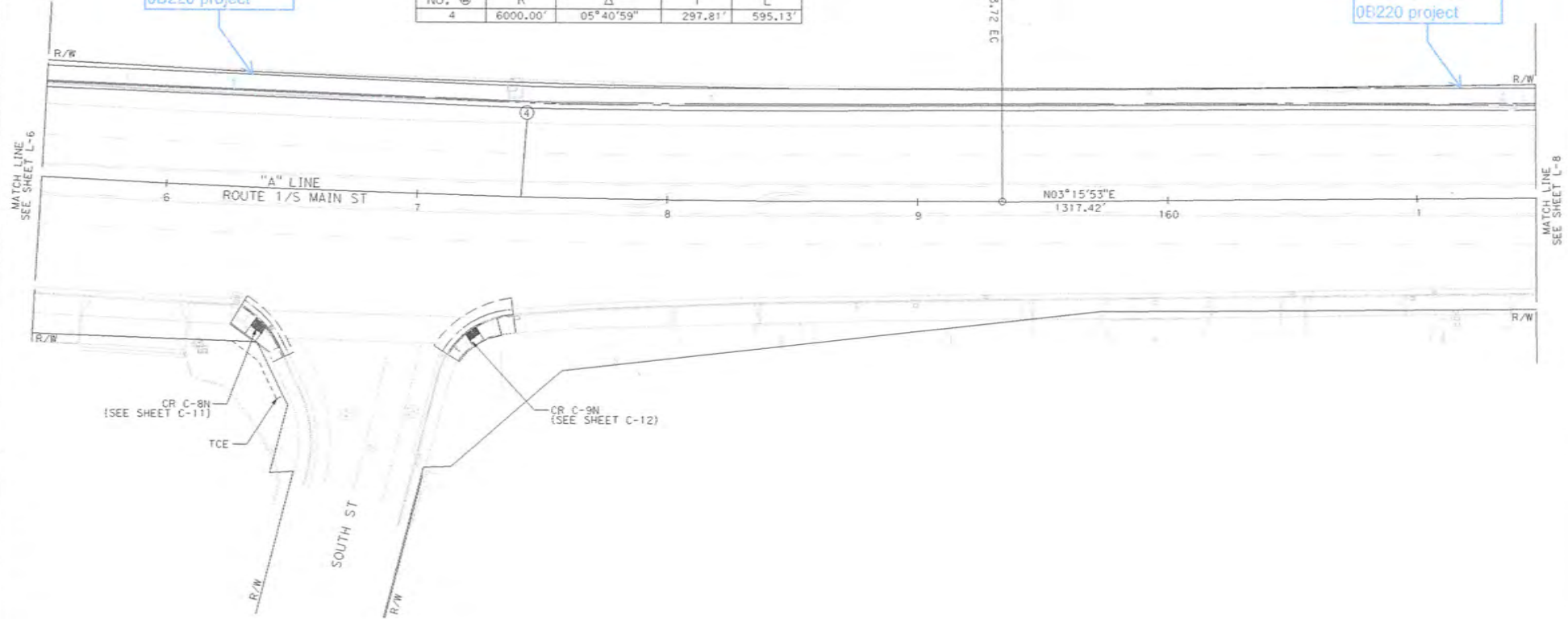
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New 6' wide sidewalk:  
City-Funded to be combined with  
0B220 project

New 6' wide sidewalk:  
City-Funded to be combined with  
0B220 project

No.	@	R	Δ	T	L
4		6000.00'	05°40'59"	297.81'	595.13'



CR C-8N  
(SEE SHEET C-11)

CR C-9N  
(SEE SHEET C-12)

SOUTH ST

REVISIONS

NO.	DATE	BY	REVISION

REVISIONS

Coastal Commission  
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Exhibit 3 - Appeal  
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USERNAME =>  
DGN FILE => ... \S10\_Plans\0112000110ea001.dgn



UNIT 0332

PROJECT NUMBER & PHASE

01120001101

LAYOUT  
SCALE : 1" = 20'

L-7

LAST REVISION: 11/2/2016 BY: JTY

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
01	Men	1	59.8/62.1		

REGISTERED CIVIL ENGINEER	DATE
JONY TJI	
No. 73291	
Exp. 12-31-2027	
CIVIL	

PLANS APPROVAL DATE

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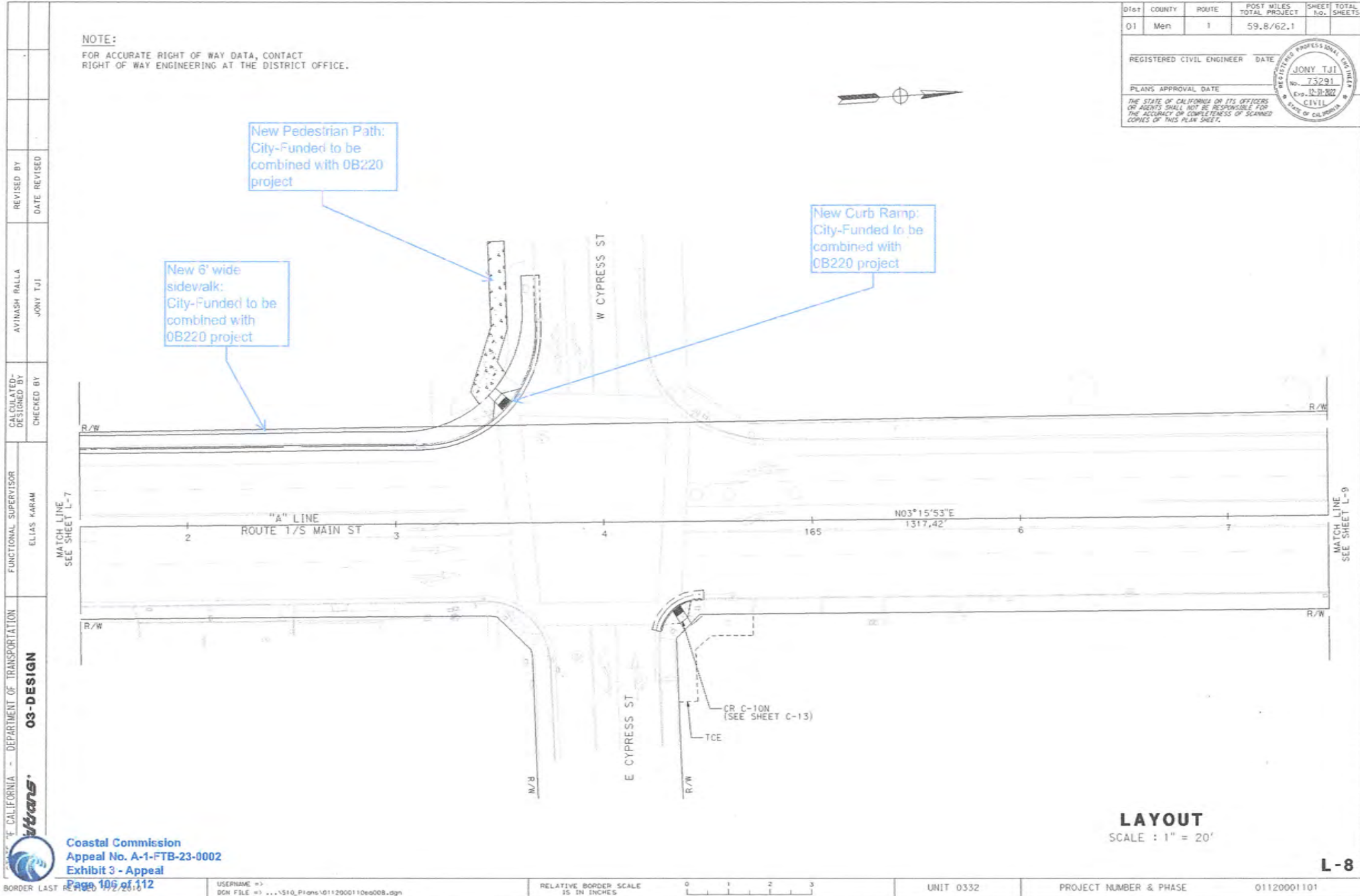
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New Pedestrian Path:  
City-Funded to be  
combined with 0B220  
project

New 6' wide  
sidewalk:  
City-Funded to be  
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0B220 project

New Curb Ramp:  
City-Funded to be  
combined with  
0B220 project



LAYOUT  
SCALE : 1" = 20'