

**CALIFORNIA COASTAL COMMISSION**

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# W15c

**Prepared March 10, 2025 for March 12, 2025 Hearing**

**To:** Commissioners and Interested Persons  
**From:** Peter Allen, Statewide Transportation Program Manager  
Kate Anderson, Northern California Transportation Program Manager  
Eric Stevens, Senior Transportation Analyst  
**Subject: STAFF REPORT ADDENDUM for W15c  
CDP Number 3-24-0747 (Caltrans Mud Creek Landslide Highway 1  
Stabilization Project)**

The purpose of this addendum is to respond to correspondence received in the time since the staff report for this item was published on February 28, 2025 (see correspondence package for this item). These commentors raise two main concerns with the staff recommendation; the first related to one aspect of the shoreline armoring mitigation package, and the second regarding opportunities for local review of the project. Both of those comments are addressed below, and staff makes several changes to the staff recommendation in response. Importantly, the changes don't modify the basic staff recommendation, which remains approval with conditions. And staff notes that Caltrans, the applicant in this matter, is in agreement with the staff recommendation, including the changes herein.

In terms of local review opportunities, this CDP is being processed as a consolidated application,<sup>1</sup> which can present some challenges in terms of local review because there is no local CDP process. In the past, and to address this concern, the County has agreed that consolidated CDP applications in the Big Sur area be presented to the Big Sur and/or South Coast Land Use Advisory Councils (BSLUAC and SCLUAC,

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<sup>1</sup> The proposed project spans the CDP permitting jurisdictions of both Monterey County and the Coastal Commission. In cases like this, and provided the applicant, the local government and the Commission, through the Executive Director, agree, and public participation is not substantially impaired by such consolidation, then the Commission can process one consolidated CDP application (per Coastal Act Section 30601.3(a)(2)). The consolidated CDP application process was developed to help streamline application reviews, including as a means of avoiding two CDP processes, and one potential appeal process, where all of that is "consolidated" into one CDP application process before the Commission.

respectively),<sup>2</sup> as applicable,<sup>3</sup> and the County has also in most cases decided to apply their design review procedures. Typically, such processes occur prior to filing consolidated CDP applications, and at the least prior to Commission hearings on such applications. Commenters concerned in this case have correctly observed that the BSLUAC has not yet reviewed this proposed project, and is scheduled to review it on March 11, 2025 (just one day prior to the Commission's scheduled hearing on March 12, 2025), and that the project is not scheduled to be presented to the SCLAUC at all, at this point.

Staff notes that the project was originally scheduled to be presented at the February BSLUAC meeting, but that it had to be pushed to March because of problems with noticing for that meeting. While staff agrees that it is not ideal that the BSLUAC meeting is one day before the Commission's hearing on this item, Caltrans has indicated that funding for the project would be jeopardized if the Commission does not act on the CDP application at the March hearing, which leaves limited options. Thus, staff will do its best to provide the Commission with relevant information from the BSLUAC review at the Commission's hearing on this item. And, to be clear, as identified in the staff report, the project is well-known; most of the proposed development has already occurred over the past eight years; and Caltrans has kept the public informed of the ongoing construction through community meetings, regular updates to the Big Sur Multi-Agency Advisory Council,<sup>4</sup> social media and online. And also, staff has properly noticed this item, and interested parties will have the opportunity to present comments to the Commission both in writing and orally, as is typical and normal for any Commission hearing of this sort.

Finally, in relation to comments on the shoreline armoring mitigation package, these commentors have raised concerns about the component of that package that requires compensatory public recreational access improvements at the Shale Point/Alder Cove public accessway just south of the project site. At their core, these commentors express a desire for community input into the nature of the improvements that Caltrans would undertake, including to help avoid parking, trash, and maintenance issues. As a foundational matter, it appears clear to staff that some commentors are not aware that the Shale Point/Alder Cove public accessway is an existing public accessway that was previously required by the a Commission CDP as mitigation for a Caltrans project at that site in 2012.<sup>5</sup> And that the intent of the condition for this current Mud Creek project was

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<sup>2</sup> The LUACs are County recognized and affiliated advisory groups, and there are several that cover the County's coastal zone, including the BSLUAC and the SCLUAC. These advisory groups provide local perspective and nonbinding advice to County decision-makers as part of the local CDP review process.

<sup>3</sup> The BSLUAC covers the northern portion of Big Sur, while the SCLUAC covers the southern portion of Big Sur (including this proposed project's location).

<sup>4</sup> The Big Sur Multi-Agency Advisory Council, or the Big Sur MAAC, is a forum for the local community to speak directly to local, state, and federal agency staff (including Coastal Commission staff, who are a regular attendee and a member of the MAAC) and elected officials regarding issues in Big Sur. The MAAC meetings are typically very well attended, and the community is typically quite engaged in them on a range of topics affecting Big Sur.

<sup>5</sup> See CDP 3-10-034.

to recognize that the Shale Point/Alder Cove public accessway was lacking in basic improvements, and to require it to be enhanced as mitigation for the proposed project's public recreational access impact associated with the significant armoring structure at Mud Creek. That said, the intent here is not to create a significant new access point that might generate its own potential issues at Shale Point/Alder Cove, but rather to provide some modest enhancements to the existing accessway already present there. And staff wholeheartedly agrees that community input would be appropriate in that effort, and that requirements thereto can be made more obvious. Thus, staff makes the following changes to the staff recommendation. And again, these changes do not modify the basic staff recommendation, which is still approval with conditions.

Thus, the staff report is modified as shown below (where applicable, text in underline format indicates text to be added, and text in ~~strike through~~ format indicates text to be deleted):

**1. Modify Special Condition 3.1.I. on staff report page 8 as follows:**

***Offsite Public Recreational Access Improvements.*** *The Final Plans shall include provisions to provide plans for a plan for public access improvements of the overlook, lower bench area, and beach access trails at the existing public accessway at Shale Point/Alder Cove (see Exhibit 5). These plans. Such improvements shall include plans for enhancing public recreational access amenities and signage to improve the utility of the existing accessway, where the details regarding such improvements shall be developed use, through community engagement, including through adding public recreational access amenities and signage (e.g., defined parking/pathways/overlook areas, benches, picnic tables, bicycle racks, interpretive signage, waste and recycling receptacles, doggie mitt stations, etc.). meetings with interested parties to incorporate their input. All such improvements enhancements shall be sited and designed to seamlessly integrate into the natural setting and to maximize public view protection, including through use of siting/design approaches and materials that are appropriate to the beach shoreline context, and including to ensure that the improvements approved development effectively blends into and enhances the natural environment, all to the maximum extent feasible. The improvement plan shall also include adequate maintenance provisions so that such improvements can ~~All such enhancements shall also be maintained in their approved state for public use (including through ongoing repair, maintenance, or relocation (if necessary to respond to shoreline erosion)) for at least as long as any portion of the development approved under this CDP remains present.~~ Once the Permittee has developed the plan for such improvements, including following community engagement, then the Permittee shall submit that plan to the Executive Director for review and approval prior to its implementation. ~~All such enhancements improvements associated with the Executive Director-approved plan shall be completed and available for public use as soon as possible but at least prior to Memorial Day weekend in 2026~~ 2027 (i.e., by May 22, 2026~~29, 2027).~~*

**2. Modify text on staff report pages 43-44 as follows:**

*Thus, fourth, the Commission is forced to look offsite to round out the mitigation package. And fortunately, there are options. Specifically, there is another nearby area (about a mile to the south) that includes a bench area below the highway and above the beach similar to the bench area at the project site but smaller, where that bench area and the access to it were required to be open to the public by virtue of the Commission's CDP for Highway 1 armoring work at the Shale Point/Alder Cove site in 2012 (see [Exhibit 5](#), and see CDP 3-10-034). The accessway is currently open to the public and provides an informal, undeveloped parking area on the seaward side of the road. A Caltrans maintenance access road extends down to a small bench area centered around a large rocky outcropping, with informal trails to the beach on either side of the rocky feature. While valuable, the area lacks signage and lacks recreational access improvements other than two benches near the parking area at the highway elevation. In many ways, the area looks like a construction site still, rather than a public access point. Thus, to partially mitigate for project impacts in this proposed project, ~~the overlook, lower bench area, and beach access trails at Shale Point/Alder Cove would be enhanced for public recreational access use, including through adding public recreational access amenities and signage (e.g., defined parking/pathways/overlook areas, benches, picnic tables, bicycle racks, interpretive signage, waste and recycling receptacles, doggie mitt stations, etc.). Caltrans is required to develop a plan for public access improvements of the overlook, lower bench area, and beach access trails at the existing public accessway. Such improvements will need to include appropriate public recreational access amenities and signage to improve the utility of the existing accessway, where the details regarding such improvements are to be developed through community engagement, including through meetings with interested parties to incorporate their input. All such improvements~~ enhancements would need to be sited and designed to seamlessly integrate into the natural setting and to maximize public view protection, including through use of siting/design approaches and materials that are appropriate to the beach shoreline context, and including to ensure that the approved development effectively blends into and enhances the natural environment, all to the maximum extent feasible. The improvement plan will also need to include adequate maintenance provisions so that such improvements can ~~All such enhancements would also need to be maintained in their approved state for public use (including through ongoing repair, maintenance, or relocation (if necessary to respond to shoreline erosion)) for at least as long as any portion of the development approved under this CDP remains present. Once the Permittee has developed the plan for such improvements, including following community engagement, then the Permittee will need to submit that plan to the Executive Director for review and approval prior to its implementation. All such improvements~~ enhancements would need to be completed and available for public use prior to Memorial Day weekend in 2026 ~~2027~~ 2027 (i.e., by May 22, ~~2026~~ 2027).*