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STAFF REPORT: REGULAR CALENDAR

Application Number: **4-26-0650**

Applicant: **California Department of Transportation (Caltrans)**

Project Location: Approximately 17 mile-segment of Highway 101 between Dos Pueblos Canyon Road in Naples and Gaviota Peak Trailhead in Gaviota, Santa Barbara County (Post Miles (PM) 29.6-30.2, and PM 31.8-48.27).

Project Description: Consolidated permit for Highway 101 rehabilitation project including highway rehabilitation, various roadway improvements, installation of a wildlife undercrossing (measuring approx. 25 feet wide, 15 feet high, and 110 feet long), and related improvements, as well as lighting, signage, stabilization of two road embankments, rumble strips, guardrail upgrades, as well as approx. 13,000 cubic yards of grading (cut + fill), limited vegetation removal, replanting of disturbed areas with native vegetation, and other associated road repairs/improvements.

Staff Recommendation: Approval

SUMMARY OF STAFF RECOMMENDATION

The California Department of Transportation (Caltrans) is proposing a two-component project: (1) a wildlife undercrossing and (2) a Gaviota Highway 101 Capital Preventative Maintenance component. The overall project extends beyond the coastal zone;

however, for purposes of this permit consideration, only the portion of the project located within the coastal zone is being considered. Within the coastal zone, the project site spans an approximately 17 mile-segment of Highway 101 and is located entirely within the Caltrans right-of-way, between Dos Pueblos Canyon Road in Naples and Gaviota Peak Trailhead in Gaviota in Santa Barbara County. The highway here runs through an area known as the Gaviota coast, a strikingly scenic stretch of coastline where the highway runs along a narrow coastal terrace directly along the coastline with expansive views of the coast to the west. The highway here is generally surrounded by undeveloped lands, with rugged mountains and steep hills to the inland and multiple state park lands, national lands, and nature preserves.

The surrounding area of undeveloped lands supports a significant amount of local wildlife, and Highway 101 forms a barrier between inland undeveloped lands and lands along the coast and the shoreline. Work by the Coastal Ranches Conservancy and Gaviota Coast Conservancy has identified wildlife crossings as a significant issue here given known use and incidents between animals and vehicles, prompting the California Department of Fish and Wildlife (CDFW) to place the location on its statewide wildlife crossing remediation priority list. In 2022, Caltrans initiated a Wildlife-Vehicle Collision (WVC) study to evaluate wildlife movement and roadkill patterns along a six-mile segment of Highway 101 near Gaviota Pass in this project corridor. Between March 2022 and March 2023, more than 100 wildlife carcasses were documented. Caltrans also has completed a 2023 Gaviota Pass Highway 101 Wildlife Connectivity Assessment (WCA) that evaluated wildlife movement, habitat connectivity, existing crossing structures, and wildlife-highway conflict areas along the U.S. 101 Gaviota corridor, and identified opportunities to improve wildlife passage, reduce WVCs, enhance road safety, and protect the region's ecological connectivity. The WCA found that the existing concrete box culvert, constructed in 1952, is frequently used by small and medium-sized wildlife but is too small to comfortably accommodate larger species. The existing culvert is relatively narrow and confined, which can discourage use by larger species even though smaller mammals readily use it. Increasing the crossing's width and height would improve openness and visibility, accommodate a broader range of species, and increase the likelihood of consistent wildlife movement beneath Highway 101.

Caltrans thereby proposes to replace an existing culvert (measuring approximately 6 feet wide, 7 feet high, and 115 feet long) with a new larger wildlife undercrossing (measuring approximately 25 feet wide, 15 feet high, and 110 feet long) to improve wildlife connectivity and motorist safety along Highway 101 within the Gaviota Coast. The proposed larger wildlife undercrossing would improve passage for mountain lions, black bears, mule deer, and other wildlife, enhancing habitat connectivity between protected State Park lands on either side of Highway 101. The wildlife undercrossing will consist of a natural bottom culvert and will be located approximately 50 feet north of the entrance to Gaviota State Park. The wildlife undercrossing will be supported by wingwalls/headwalls (with maximum height of 36 feet and maximum length of 43 feet) and less than a half mile of 8-foot-high wildlife exclusion fencing on either side of the

Highway to help guide animals toward the structure, as well as two earthen escape ramps (“one-way exits” or “jump outs”) that will allow animals to safely escape the highway corridor. The escape ramps will be located approximately midway along the fence alignment. Additionally, Caltrans also proposes additional vegetative improvements at the eastern end of the crossing to enhance habitat.

The design of the proposed wildlife undercrossing, wildlife fencing, and two escape ramps reflects this collaborative effort and was informed by the Gaviota Pass Highway 101 Wildlife Connectivity Assessment, the U.S. Department of Transportation Federal Highway Administration’s Wildlife Crossing Structure Handbook: Design and Evaluation, and the habitat and movement needs of the identified target species. Caltrans also emphasizes that the project was developed through consultation with stakeholders, wildlife experts, regulatory agencies, and CDFW, which reviewed the WCA methodology, results, and selected project location. In short, this broader collaborative effort culminated in the comprehensive 2023 WCA and helped secure an $8 million federal grant to construct the proposed dedicated wildlife undercrossing in the area.

Second, Caltrans is also proposing the Gaviota Capital Preventative Maintenance (CAPM) component to rehabilitate approximately 17 miles of Highway 101, which is a key coastal highway that connects various municipalities to the Gaviota Coast region and provides direct access to several state parks and many public beaches in this region. Caltrans proposes highway rehabilitation through re-pavement including a few on- and off- ramps, as well as other associated highway repair and improvements including replacement shoulder backing (in-kind), lighting rehabilitation, new and replacement signage, shoulder and centerline rumble strips, guardrail upgrades, re-striping, utility relocations, and other traffic safety systems devices.

Additionally, Caltrans is proposing to stabilize two road embankments to address persistent slumping and settlement due to ongoing erosion, mechanical breakdown from roadway activity, and natural weathering. To stabilize these sites, Caltrans plans to inject geofoam grout, a high-density polyurethane foam, for soil densification. These injections will occur solely beneath the highway.

Caltrans evaluated non-plastic alternatives such as mud-jacking, reconstruction of the embankments, retaining walls, and other non-plastic alternatives. Though mud jacking would not require significant excavation and could restore the roadway grade, it would add weight to the embankment without significantly improving soil strength, involve more extensive construction, and would require similar repairs in the near future. The other alternatives would require substantially more excavation, earthwork, and construction time and would have larger work footprints, increasing the potential for impacts to adjacent creeks, riparian Environmentally Sensitive Habitat Areas (ESHA), and other sensitive resources.

Caltrans has used geofoam injections on previous inland projects and emergency projects and states that the cured high-density polyurethane presents minimal risk of

leaching or spreading to coastal waters or into the environment because it will be injected deep within the embankment and beneath the roadway, cure instantly, remain hydrophobic and inert, and will remain buried and be protected from major water pathways. Given the greater earthwork and potential environmental impacts associated with alternative solutions, as well as the constrained timeline for the wildlife undercrossing and the federal grant funding it, Caltrans asserts that the injection approach is currently the most effective, least environmentally impactful means of strengthening the embankments and preventing further deterioration.

The narrowly constrained circumstances here reduce associated risks, as the materials will be placed beneath highway embankments, no known groundwater flows through the proposed injection sites, a low likelihood of significant water movement or erosion, and no direct proximity toa marine environment or other water environment. However, to address potential impacts of the new stabilization method, **Special Condition 6** requires appropriate monitoring and containment and disposal procedures, as well as robust adaptive management to address any adverse effects identified over the life of the project. **Special Condition 6** also requires Caltrans to ensure that polyurethane geofoam injection is conducted in a manner that protects groundwater and aquatic resources through product disclosure and certification, appropriate separation from groundwater and surface waters, controlled injection and spill prevention, pollution controls, and proper documentation and disposal of the material. The condition requires annual monitoring, with prompt investigation and corrective action if contamination, drainage impacts, or polyurethane releases are detected. And the condition requires Caltrans to maintain the materials as long as they are present and clean-up and remove any exposure of the materials.

Regarding the overall project, a total of approximately 13,000 cubic yards of grading (cut + fill) is anticipated, and re-planting of disturbed areas with native vegetation is proposed at the wildlife undercrossing site.

The overall project would not result in any loss of parking and is only anticipated to result in temporary minimal impacts to public access. The project is intended to enhance bicycle safety through better lighting, signage, and shoulder rumble strips. Moreover, no impacts to public coastal visual resources are anticipated. Additional potential issues raised by the project are protection of biological resources, cultural resources and coastal water quality concerns.

The project is largely confined to previously disturbed areas within Caltrans right-of-way, with no anticipated impacts to Gaviota Creek riparian ESHA or aquatic breeding habitat for the California red-legged frog (CRLF). Temporary impacts to potential CRLF dispersal habitat may occur, but extensive avoidance and minimization measures (including qualified-biologist oversight, surveys, ESA fencing, habitat protection, construction BMPs, weather restrictions, and habitat restoration) will be implemented. The wildlife undercrossing is expected to improve long-term wildlife connectivity and public safety and provide an overall net benefit to the Gaviota Coast ecosystem, with no

significant adverse effects to listed species or their habitats anticipated.

Staff recommends approval of the project with **11** special conditions. As thus conditioned, staff recommends the Commission find the proposed project consistent with Chapter 3 of the Coastal Act and **approve** the project. The motion to implement this recommendation can be found on **page 7** below.

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APPENDICES

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EXHIBITS

Exhibit 1 – Project Location
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Exhibit 3 – Wildlife Crossing Project Rendering & Sample Plans
Exhibit 4 – Caltrans' Wildlife Crossing and Directional Fencing Information
Exhibit 5 – Proposed Avoidance and/or Minimization Measures

I. STANDARD OF REVIEW

Santa Barbara County has a certified Local Coastal Program (LCP) that includes a county-wide general element plan but also several area-specific planning documents. For the Gaviota Coast, where this project is located, the Gaviota Coast Plan is the area-specific planning document most applicable.

The proposed Project involves development in both Commission's retained coastal development permit (CDP) jurisdiction, as well as in areas in Santa Barbara County's CDP jurisdiction. Section 30601.3 authorizes the Commission to process a consolidated CDP application in such cases when the local government, the Applicant, and the Executive Director all agree to such consolidation, and here Caltrans has requested such consolidation, and both Santa Barbara County and the Executive Director have agreed to process a consolidated CDP. As a result, and pursuant to the provisions of Section 30601.3, the standard of review for the proposed project is the Coastal Act, with the certified Santa Barbara County LCP providing non-binding guidance.

II. MOTION AND RESOLUTION

Motion:

> I move that the Commission **approve** Coastal Development Permit Number 4-26-0650 pursuant to the staff recommendation.

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned 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 a 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.

III. 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 or 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.

IV. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Final Plans.** NOT LESS THAN 60 DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit for the review and written approval of the Executive Director, revised final plans in an electronic set. The Final Plans (100% Plans) shall be in substantial conformance with the project plans submitted in the CDP application of August 11, 2026, except as otherwise modified by this CDP's terms and conditions. The Revised Final Plans, shall, at a minimum, include and provide for the following:

   A. **Railing/Guardrail Design.** All railings, guardrails, fencing and walls shall be sited, designed, colored/treated, and camouflaged in a manner that integrates seamlessly into the character of the area and that minimizes visual impacts to the maximum extent feasible.

   All requirements above and all requirements of the Executive Director-approved Final Plans shall be enforceable components of this CDP. The Permittee shall undertake development in conformance with this condition and the approved Final Plans.

2. **Final Construction Plan.** NOT LESS THAN 60 DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit an electronic set of the Final Construction Plan to the Executive Director for review and written approval. The Construction Plan shall, at a minimum, include the following:

   A. **Construction Areas.** The Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All such areas within which construction activities and/or staging are to take place shall minimize impacts on coastal resources to the maximum extent feasible.

   B. **Construction Methods.** The Plan shall specify the construction methods to be used, including all methods to be used to keep construction areas separated from public use areas and to ensure uninterrupted public use, and including verification that equipment operation and equipment and material storage will not significantly degrade public views during construction, all to the maximum extent feasible.

   C. **Construction Traffic Controls.** The Plan shall include identification of all measures to be taken to limit lane closures to the maximum extent feasible, which shall be in substantial conformance with such limitations proposed in the Final CDP Application. All one-way or two-way traffic lane closures shall provide for full and continuous access for pedestrians and cyclists through the work corridor, except during identified limited complete closures. The Plan shall also provide for emergency services to cross through construction work areas, including during any one-way or two-way traffic lane or full road closures. Updated versions of construction duration traffic controls shall be provided after any substantial changes.

   D. **Construction Timing.** The Plan shall include a complete construction schedule, where no work that involves full road closures or impacts to public beach access shall occur during weekends and holidays in the peak summer months (i.e., from the Saturday of Memorial Day weekend through Labor Day, inclusive) unless, due to extenuating circumstances, the Executive Director authorizes such work as having no significant impacts to public access.

   E. **Construction BMPs.** The Plan shall identify the type and location of all construction best management practices that will be implemented during construction to protect coastal resources, including at a minimum all of the following:

      1. **Runoff Protection.** Silt fences, straw wattles, and equivalent apparatuses shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from discharging from the construction area, and/or entering into storm drains or otherwise off-site

and/or towards adjacent habitat areas. Special attention shall be given to appropriate filtering and treating of all runoff, and all drainage points, including storm drains, shall be equipped with appropriate construction-related containment and treatment equipment. Tarps or similar such devices shall be used to capture debris, dust, oil, grease, rust, dirt, fine particles, and spills. Excess construction debris and materials, excess fill, vegetation spoils, and waste material shall be disposed of at an authorized disposal site(s) capable of receiving such materials.

2. **Erosion and Sediment Controls.** All erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each workday.

3. **Equipment.** Equipment washing, refueling, and/or servicing shall take place at an appropriate off-site and inland location away from riparian habitat on an existing hard surface area (e.g., a road) or an area where collection of materials is facilitated. All construction equipment shall also be inspected and maintained at a similarly sited inland location to prevent leaks and spills of hazardous materials at the project site.

4. **Good Housekeeping.** The construction site shall maintain good construction housekeeping controls and procedures at all times (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain, including covering exposed piles of soil and wastes; dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the project site; etc.).

5. **Construction Material Storage.** All construction materials and equipment shall be stored in non-habitat areas, except for necessary erosion and sediment controls and/or construction area boundary fencing area allowed where such controls and/or fencing are placed as close to the work area, and are minimized in their extent, both to the maximum extent feasible.

F. **Archaeological/Tribal Cultural Resource Protection**. All archaeological/tribal cultural resource protection requirements identified in Special Condition 7 shall be identified as “Required Cultural Resource Protection Measures”.

G. **Construction Site Documents.** Copies of the signed CDP and the approved Construction Plan shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the CDP and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.

I. **Construction Coordinator.** A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that their contact information (i.e., address, phone numbers, email address, etc.) including, at a minimum, a telephone number (with message capabilities) and an email that shall be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas while still protecting public views as much as possible, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the contact information (address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. All complaints and all actions taken in response shall be summarized and provided to the Executive Director on at least a weekly basis during construction.

J. **Notification.** The Permittee shall notify planning staff of the Coastal Commission's South Coast District Office at least three working days in advance of commencement of construction, and immediately upon completion of construction.

All requirements above and all requirements of the Executive Director-approved Final Construction Plans shall be enforceable components of this CDP. The Permittee shall undertake development in conformance with this condition and the approved Final Construction Plans.

3. **Biological Monitoring/Protection.** The Permittee shall enlist one or more qualified biologists, subject to US Fish and Wildlife Service (USFWS) approval in accordance with the Programmatic Biological Opinion for Projects Funded or Approved under the Federal Highway Administration's Federal Aid Program (PBO), to monitor construction activities. The biologist(s) shall possess the authority to halt work to prevent any breach in CDP compliance from occurring, or if any unforeseen sensitive species habitat issues arise and until they are satisfied that the issue has been resolved; and shall immediately notify the Executive Director if development activities outside the scope of this CDP occur and document any incidents requiring the stoppage of work. The biologist(s) shall also conduct sensitive species pre-construction surveys, monitor the project site during all initial ground disturbance activities, and implement the following:

A. **Sensitive Species and Habitats**. For the purpose of this special condition, "sensitive species" shall be taken to mean any special-status native wildlife species, plant species, or sensitive natural vegetation community. Special-status species are species listed as: Endangered, Threatened, or Candidate of either

status under the federal or state Endangered Species Acts; California Rare Plant Rank 1B and 2 Listed Species, California Fully Protected Species, and, sensitive natural communities, all other rare or imperiled species considered by the California Department of Fish and Wildlife to be those of greatest conservation concern (e.g. S1-S3 and G1-G3 Listed Species).

B. **Flagging of Sensitive Areas**. Demarcation of the boundaries of riparian, wetland, and other habitats within and adjacent to the project area pursuant to avoidance and/or minimization measures detailed in **Exhibit 5** shall be inspected throughout construction to ensure that they are visible for construction personnel. Any temporary fencing that is used shall be properly installed. If any temporary fencing is removed, damaged, or otherwise compromised during the construction period, construction activities shall cease until the temporary fencing is repaired or replaced.

C. **Work Adjacent to Creeks in Dry Weather Only**. Permittee shall implement all necessary erosion control measures prior to the onset of precipitation and remove construction equipment and materials within California red-legged frog (CRLF) habitat if precipitation is likely. No construction in CRLF habitat shall occur during a dry-out period of 24 hours after wet weather unless approved by the Project Biologist.

D. **Nesting Birds.** If work is conducted during avian nesting season (February 1 to August 31), nesting bird surveys shall be conducted no more than 14 days prior to construction activities. The minimum survey area shall include areas within 300 feet of the construction segment footprint and, where there is the potential for nesting raptors, within 500 feet of the construction area footprint, unless those areas are beyond the range of observation from the public right-of-way or other publicly accessible areas. If any nesting bird is detected (i.e., detection of an active nest of migratory passerine species, or raptor of any kind), a construction-free buffer zone shall be established around the nest at a minimum of 500 feet for nesting raptors and a minimum of 300 feet for other special-status bird species. A reduced buffer may be established when the biologist submits a statement for the review and approval of the Executive Director demonstrating the appropriate buffer is infeasible and documenting why no significant adverse impacts to the nesting birds will occur with the revised buffer, including impacts from construction sounds and line-of-sight. Noise levels at active nest/roost sites must not exceed 65 dB unless a noise study has determined that ambient noise in the immediate area exceeds that level. If this is the case, noise levels at the nest site must not exceed the ambient noise level measured. Noise-reducing BMPs may include using alternative equipment, equipment noise buffering, sound blankets, etc. Buffers shall be maintained until the young have fledged and no second nesting/roosting attempts have been observed. Reductions to the above may be established when the biologist submits a statement for the review and approval of the Executive Director demonstrating the appropriate buffer or

noise limit is infeasible and documenting why no significant adverse impacts to the nesting birds will occur with the revisions, including impacts from construction sounds and line-of-sight.

E. **Plastic Netting and Ties Prohibition**. To minimize wildlife entanglement and plastic debris pollution, the use of rolled erosion and sediment control products with plastic ties and 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 that allows flexibility where the horizontal and vertical threads intersect.

F. **Wildlife Protection**. To prevent the inadvertent entrapment of any special status wildlife, all excavated, steep-walled holes or trenches more than one foot deep shall be covered at the close of each working day by plywood or similar materials or, if that is infeasible, one or more escape ramps constructed of earthen fill or wooden planks shall be installed.

G. **Avoidance, Minimization and/or Measures.** All biological monitoring, and avoidance and/or minimization measures detailed in **Exhibit 5** (CEQA Categorical Exemption, Environmental Commitments) shall be implemented. The qualified biologist shall ensure that these avoidance and/or minimization measures are implemented by the construction personnel.

4. **Final Landscaping Plan**. NOT LESS THAN 60 DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the applicant shall submit for the review and written approval of the Executive Director, a final landscaping plan. The plan, shall, at a minimum, include and provide for the following:

   A. No seed mix consisting of plant species listed as problematic and/or invasive by the California Native Plant Society (http://www.CNPS.org/), the California Invasive Plant Council (http://www.cal-ipc.org/), or as may be identified from time to time by the State of California shall be employed. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be planted.

   B. Hydroseed mix shall consist of native species of local genetic stock (Santa Barbara coastal sage scrub, riparian, or grasslands). The applicant shall not incorporate invasive plant species anywhere on the project site.

   C. The site shall be stabilized immediately with jute matting or other BMPs after any grading occurs to minimize erosion during the rainy season (November 1 to March 31) if plantings have not been fully established.

   The Permittee shall undertake development in accordance with the approved final plan and schedule and other requirements. 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 amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

5. **Integrated Pest Management Plan.** WITHIN 30 DAYS PRIOR TO ANY HERBICIDE APPLICATION, the applicant shall submit, for the review and approval of the Executive Director, an Integrated Pest Management Plan in substantial conformance with the avoidance and minimization measures pertaining to herbicide use in **Exhibit 5**, and additionally including the following requirements:

   A. Caltrans shall not use herbicides as the primary method to control invasive, exotic plants. However, if it is determined that the use of herbicides is the only feasible method for controlling invasive plants at a specific project work area, chemical treatment methods shall utilize the least toxic and least persistent herbicides appropriate and effective for the respective target non-native species. Aquatic formulations shall be used within the 100-foot buffer of Gaviota Creek, and no herbicide use shall occur within ESHA or wetlands. Use of glyphosate-based products may only be used when no alternative herbicides that also meet the requirements of this condition are effective against the target plant(s). The plan shall include a description of where, when (what time of year, target plant phenology timing, frequency), how, and why, and for what purpose (i.e., eradication, control, etc.) herbicides will be used and the herbicide(s) that will be used.

   B. The use of non-ionic surfactants shall be prohibited.

   C. All vegetation removal, both manual and chemical, shall be planned by the project biologist to protect native vegetation, wildlife, pollinators (including bumble bees and monarch butterflies) and water quality from adverse impacts.

   D. All herbicide use shall be conducted by a California-licensed Pest Control Advisor and/or Qualified Applicator to ensure the appropriate herbicide is applied per the herbicide label instructions.

   E. Any proposed changes to the approved Integrated Pest Management Plan shall be reported to the Executive Director. No changes to the approved Integrated Pest Management Plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. **Geofoam Installation and Monitoring.** NOT LESS THAN 30 DAYS PRIOR TO ANY INJECTION, the Permittee shall submit, for Executive Director review and approval, a geofoam installation and monitoring plan prepared by a qualified professional for the proposed polyurethane geofoam injection to stabilize the two slumping embankments. The monitoring plan shall be consistent with the following:

   A. **Material Safety Documentation and Chemical Disclosure.** The Plan shall

document the final geofoam product to be used. The Permittee shall use only a commercially available geofoam product for which current Safety Data Sheets (SDSs) are already established and publicly available. In addition, the Permittee shall obtain from the manufacturer a disclosure of the chemical identities and Chemical Abstracts Service (CAS) numbers of the tertiary amine catalysts, blowing agents, and other additives in both injection components. Proprietary information may be submitted confidentially. The Permittee shall also provide the current National Sanitation Foundation/American National Standards Institute (NSF/ANSI) 61 certification for the exact product, including applicable conditions or limitations and any available third-party extraction or leachate testing. No substitution of another polyurethane formulation shall occur without additional review.

B. **Protection of groundwater, subsurface drainage, and existing contamination.** PRIOR TO ANY INJECTION WORK, known shallow groundwater, springs, seeps, culverts, roadway underdrains, and preferential subsurface flow paths shall be identified. Injection pressures, quantities, depths, and sequencing shall be controlled to prevent substantial displacement of groundwater or pore water, mobilization of existing contaminants, obstruction or redirection of springs or seeps, and adverse alteration of subsurface drainage. If contaminated soil or groundwater is known or reasonably suspected to occur, the Permittee shall demonstrate that injection will not mobilize contaminants toward groundwater, surface waters, wetlands, or other coastal waters.

C. **Prevention of daylighting and uncontrolled releases.** Injection shall be performed by trained personnel using equipment capable of controlling pressure and injection volume. Injection shall immediately cease if uncured or cured material is observed emerging outside the intended treatment area. Released material should be immediately contained and removed. Resin, hardener, mixed uncured product, wash water, or cleanup materials shall not be allowed to enter groundwater, storm drains, drainage ditches, or coastal waters.

D. **As-built documentation.** WITHIN 90 DAYS OF COMPLETION OF CONSTRUCTION, an as-built plan shall identify the location, approximate depth, and estimated quantity, and specific formulation of polyurethane installed. This information shall remain with permanent roadway maintenance records so that future excavation or rehabilitation contractors know where polyurethane is present.

E. **Annual Inspections.** The Permittee shall inspect the portions of the roadway prism containing geofoam at least once each year. The investigations shall document any potential release of the polyurethane foam, any potential contact with new sources of groundwater, seeps, or other water flows on or adjacent to the geofoam, or any degradation of the materials encapsulating the geofoam. Annual inspections shall include an evaluation of the current condition of the

roadway above the geofoam installation. The Permittee shall promptly document and address any potential roadway damage or failures that could expose the geofoam or expose the geofoam to significant water intrusion.

F. **Post-event Inspection and Reporting.** The Permittee shall also inspect the portions of the roadway prism containing geofoam or near the geofoam promptly following any unanticipated event that could expose the geofoam or degrade its encapsulation, including erosion, slope movement, or potential roadway damage from fire or extreme storms. The Permittee shall report within 60 days any such events to the Commission's Executive Director and the results of any investigation.

G. **Groundwater Interaction Response and Corrective Actions.** In the event the monitoring investigation indicate new groundwater, seeps, or other significant water flows are interacting below the surface of the highway at the location of the geofoam, the Permittee shall submit a water quality sampling report for the review and approval of the Executive Director. If the sampling identifies the presence of product-related constituent or polyurethane fragments, or the sampling and/or investigation indicates that the geofoam injection has altered groundwater or drainage in a manner that adversely affects coastal resources, the Permittee shall immediately notify the Executive Director, investigate the source, and implement corrective measures supported by the best available science, which could include full removal of the injected geofoam materials if needed.

H. **Annual Reporting.** The Permittee shall submit an annual report documenting its investigation and findings from the annual investigation for ten years from the date of construction. After five years of annual reports, the Permittee may request from the Executive Director a conclusion of the annual reporting, by submitting documentation that no potential impacts to water quality are feasible. The Executive Director will review the request to determine if it legally requires a CDP amendment or if no CDP amendment is required.

I. **Long-term Management**. The Permittee shall be responsible for maintaining the polyurethane geofoams in perpetuity. In the event there are any failures of the geofoams or of the embankments that displace geofoams in the future, the Permittee shall be responsible for ensuring the removal of geofoams and the clean-up of any discharged geofoam materials. Any future maintenance projects on the section of roadway containing the geofoam shall include monitoring for potential impacts to the geofoam.

7. **Archaeological and/or Tribal Cultural Resource Protection.** The Permittee shall undertake the approved project in compliance with the following measures to protect archaeological and/or tribal cultural resources to the maximum extent feasible:

A. **Notification.** AT LEAST ONE MONTH PRIOR TO COMMENCEMENT OF ANY GROUND-DISTURBING CONSTRUCTION ACTIVITIES, the Permittee shall (1) notify the representatives of Native American Tribes listed on an updated Native American Heritage Commission (NAHC) contact list; (2) invite all Tribal Representatives on that contact list to be present and to monitor ground-disturbing activities; and (3) arrange for a qualified Archaeological Monitor and a Tribal Monitor to be present to observe ground-disturbing activities in those construction segments mapped and approved through Tribal consultation as requiring cultural monitoring.

B. **Monitoring.** A qualified, locally experienced archaeologist and a tribal monitor, approved by relevant tribes shall be on site to monitor all activities with the potential to impact archaeological and/or tribal cultural resources, including all ground disturbing activities in those construction segments mapped and approved through tribal consultation as requiring cultural monitoring. The monitors shall have experience monitoring for archaeological resources of the local area during excavation projects, be competent to identify significant resource types, and be aware of recommended tribal procedures for the inadvertent discovery of tribal cultural and/or archaeological resources and/or human remains.

C. **Discovery Protocol.** If any tribal cultural deposits are discovered during the course of the project, all construction within 200 feet of such deposits shall cease and shall not re-commence until a qualified cultural resource specialist (which could be persons identified in subpart (b), above), in consultation with the relevant tribes, analyzes the significance of the find and, if deemed significant, prepares a supplementary archaeological plan for the review and approval of the Executive Director that evaluates and provides suggested measures related to the discovery. The Executive Director shall review the plan and either: (1) approve it and determine that its recommended changes to the project or mitigation measures do not necessitate an amendment to this CDP, or (2) determine that the changes proposed therein necessitate a CDP amendment. The location of any and all identified archaeological and tribal cultural resources shall be kept confidential, and only those with a “need to know” shall be informed of their locations.

D. **Human Remains.** Should human remains be discovered on-site during the course of the project, immediately after such discovery, the on-site archaeologist and/or tribal monitor shall notify the Santa Barbara County Coroner within 24 hours of such discovery, and all construction activities shall be temporarily halted until the remains can be identified. If the County Coroner determines that the human remains are those of a Native American, the Coroner shall contact the NAHC within 24 hours, pursuant to Health and Safety Code Section 7050.5. The NAHC shall deem the Native American most likely descendant (MLD) to be invited to participate in the identification process pursuant to Public Resources

Code Section 5097.98. The Permittee shall comply with the requirements of Section 5097.98 and work with the MLD person(s) to discuss and confer with the descendants all reasonable options regarding the descendants' preference for treatment. Within five (5) calendar days of notification to NAHC, the Permittee shall notify the Coastal Commission's Executive Director of the discovery of human remains. The Executive Director shall maintain confidentiality regarding the presence of human remains on the project site.

8. **Minor Changes and Deadline Extensions.** The Permittee shall undertake development in conformance with the terms and conditions of this CDP, including with respect to all Executive Director-approved plans and other materials, which shall also be enforceable components of this CDP. Any proposed project changes, including modifications to condition requirements, deadline extensions, or revisions to approved work windows, shall either: (a) require a CDP amendment, or (b) if the Executive Director determines that no amendment is legally required, then such changes may be allowed by the Executive Director in writing if such changes: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources.

9. **Future Permitting.** Any and all future proposed development related to this project and this CDP shall be subject to the Coastal Commission's continuing CDP jurisdiction. This CDP authorizes limited future repair, maintenance, and/or improvement development that is determined by the Executive Director to: 1) fall within the overall scope and intent of this CDP; and 2) not have any significant adverse impacts to coastal resources. Any development that the Executive Director determines does not meet such criteria shall require a separate CDP or a CDP amendment, as directed by the Executive Director.

10. **Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the Permittee acknowledges and agrees, on behalf of itself and all successors and assigns, to all of the following: (a) that the site may be subject to coastal hazards, including but not limited to episodic and long-term erosion, tsunami, scour, coastal flooding, fluvial flooding, landslides, geologic instability, liquefaction, and the interaction of same, many of which may worsen with future 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.

11. **Liability for Costs and Attorneys' Fees.** The Permittee shall reimburse the

Coastal Commission in full for all Coastal Commission costs and attorneys' fees (including but not limited to such costs/fees that are: (1) charged by the Office of the Attorney General; and/or (2) required by a court) that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval or issuance of this CDP, the interpretation and/or enforcement of CDP conditions, or any other matter related to this CDP. The Permittee shall reimburse the Coastal Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission. By acceptance of this CDP and its terms and conditions, the Permittee irrevocably agrees to this obligation, which shall be continuing in nature and remain in full force and effect regardless of whether this CDP approval is invalidated as the result of the litigation contemplated by this condition or otherwise changed in any way.

V. FINDINGS AND DECLARATIONS

A. Project Location and Description

The California Department of Transportation (Caltrans) is proposing a two-component project: (1) wildlife undercrossing and (2) Gaviota Highway 1011 Capital Preventative Maintenance. The overall project extends beyond the coastal zone; however, for purposes of this permit consideration, only the portion of the project located within the coastal zone is being considered. Within the coastal zone, the project site spans an approximately 17 mile-segment of Highway 101 generally running from the community of Naples north of Goleta to Gaviota State Park and Las Cruces and entirely within the Caltrans right-of-way. Specifically, the project runs between approximately half mile southeast of Dos Pueblos Canyon Road (approx. postmile[2] (PM) 29.6) and approximately 600 feet northwest of Dos Pueblos Canyon Road (approx. PM 30.2) in Naples, and between approximately half mile northwest of La Casa Grande Circle (approx. PM 31.8) and approximately 0.3 miles south of the Gaviota Peak Trailhead in Gaviota (approx. PM 48.27), Gaviota Coast Region, Santa Barbara County (see **Figure 1** below and **Exhibit 1).**[3] No temporary or permanent construction easements or

[1] Highway 101 is referred to in this report as "Highway 101," "Gaviota Coast Highway," and/or "State Route 101" because these terms are commonly used interchangeably by various public agencies and stakeholders.
[2] A postmile is a Caltrans location marker used to identify specific points along state and federal routes, which is based on the Caltrans Linear Referencing System (CLRS). The online Postmile Query Tool allows the public to explore CLRS at: https://postmile.dot.ca.gov/PMQT/PostmileQueryTool.html
[3] Caltrans clarified that the project description uses two sets of limits: "begin/end work" (PM 29.6 to R49.3), which encompass all project activities, including staging and minor roadway modifications, and "begin/end construction" (PM 30.1 to R48.8), which identify areas of more substantial physical construction. Both are accurate and serve different technical and reporting purposes. For this CDP review, the relevant project limits extend from "begin work" (PM 29.7) to PM R48.27, marking the end of the coastal zone along this segment of Highway 101.

acquisitions are required for this project.

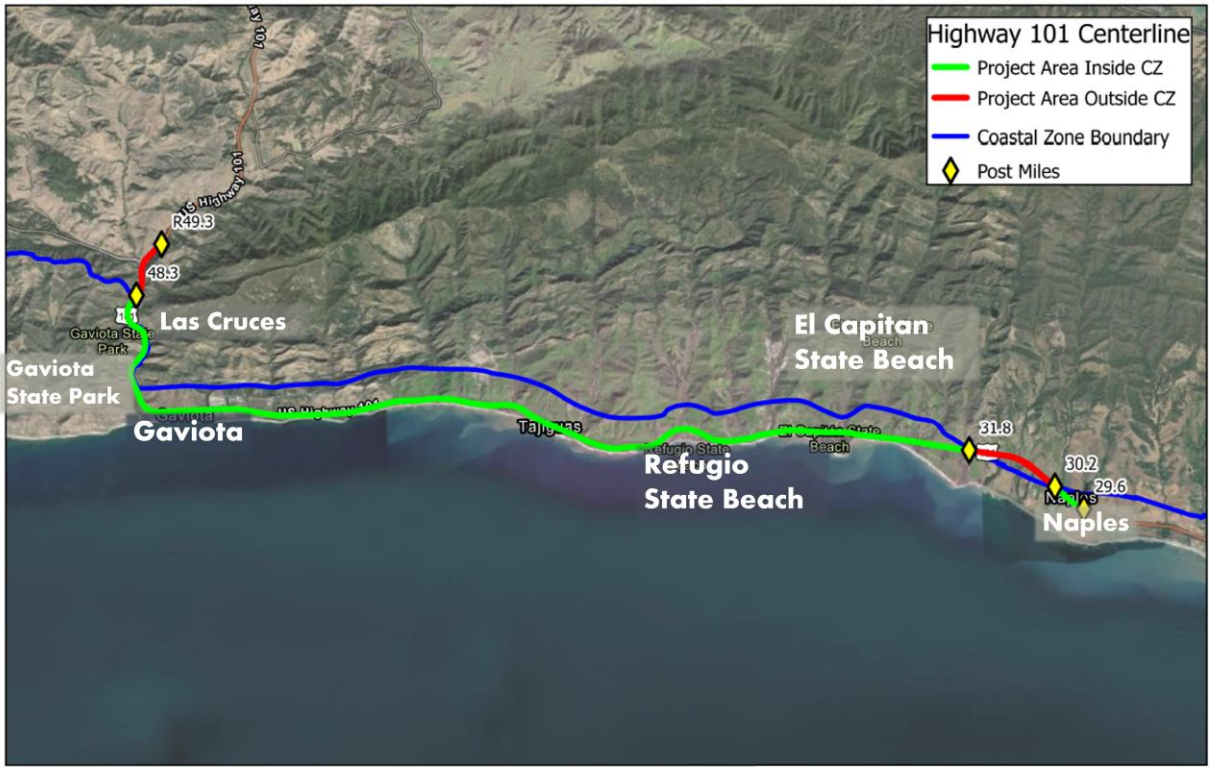


Figure 1: Project site in coastal zone along Highway 101 between Naples and Las Cruces.

Highway 101 here runs directly along the coast, in an area known as the Gaviota Coast, a largely undeveloped landscape characterized by rugged coastal mountains extending to the shoreline. The highway generally follows a narrow natural terrace, within a largely undeveloped coastal corridor, with mountains, nature preserves, state parks, and national forest lands inland and beaches and coastal terraces along the coast. Throughout this stretch, the highway is generally within a quarter mile or less along the coast, with a maximum distance of approximately a half mile, and passes several coastal access points, including Refugio and El Capitán State Beaches. The wildlife crossing is located adjacent to Gaviota State Park entrance, where Highway 101 turns inland into the coastal mountains.

Wildlife Crossing and Culvert Replacement

First, Caltrans proposes to replace an existing concrete box culvert/cattle undercrossing (measuring approximately 6 feet wide, 7 feet high, and 115 feet long) with a new larger wildlife undercrossing (measuring approximately 25 feet wide, 15 feet high, and 110 feet long) adjacent to Gaviota State Park and the Los Padres National Forest to improve wildlife connectivity and motorist safety along Highway 101 within the Gaviota Coast (see **Figure 2** below, and **Exhibits 2** – **3**). The wildlife undercrossing will be located approximately 50 feet north of the entrance to Gaviota State Park. The undercrossing will consist of a cast-in-place bottomless culvert with a natural bottom and vertical clearance of approximately 12.5 feet on the southbound side and 13.5 feet on the

northbound side, and a one percent longitudinal slope to facilitate drainage through the culvert and to minimize sediment buildup and maintain a clear passage for wildlife movement. Supporting wingwalls/headwalls with maximum height of 36 feet and maximum length of 43 feet are proposed on either side of the undercrossing. Caltrans also proposes additional vegetative improvements at the eastern end of the crossing to enhance habitat. Two approximately 106-foot-long and 3.7-foot-high maintenance post-and-cable railings will be installed atop of the wildlife crossing headwalls and wing walls, as well as upgraded guardrail, which will all be stained brown.



Figure 2 (E) Cattle Undercrossing (left photo), and (P) Wildlife Undercrossing (right rendering)

The wildlife undercrossing would be supported by approximately 0.37 miles of 8-foot-high wildlife exclusion fencing (or deer fencing) consisting of dark-colored T-posts and wire mesh on both sides of the highway. Steel line posts, which would be stained brown, will be installed for fence bracing intermittently along the fence. The fencing is intended to prevent wildlife from accessing the highway and guide animals toward the undercrossing to facilitate safe passage beneath U.S. 101. Two 4-foot-wide and 8-foot-tall chain link walk-through gates are proposed to maintain Caltrans access to local culverts near the wildlife exclusion fencing, one on the southbound side of the freeway and the other north of the proposed wildlife undercrossing. The gate posts would be 8 feet tall to match the height of the wildlife fencing, while each walk-through gate would be 4 feet wide.

Two approximately 5- to 6- foot-tall escape ramps (“one-way exits” or “jump outs”) are proposed and will consist of low earthen embankments built adjacent to the highway and enclosed by the proposed deer-exclusion fencing. The ramps would have an approximately 8-foot-wide opening and a flat top and 2:1 side slopes (ranging from 8 to 16.5 feet wide) and would tie into the wildlife fencing to allow wildlife that has entered

the highway corridor to climb up and safely exit the fenced area and return to adjacent habitat (see **Figure 3** below; and **Exhibit 3**). The escape ramps will be located approximately midway along the fence alignment to provide animals with additional opportunities to leave the highway corridor.



Figure 3 Sample of (E) wildlife jump-out and exclusion fencing in Santa Cruz County (image enhanced).

Rehabilitation Project

Second, Caltrans is also proposing the Gaviota Highway 101 Capital Preventative Maintenance (CAPM) component to rehabilitate approximately 17 miles of Highway 101, which is a key coastal highway that connects various municipalities to the Gaviota Coast region and provides direct access to several state parks and many public beaches in this region. Caltrans proposes highway preservation through re-pavement including a few on- and off- ramps, as well as other associated highway repair and improvements including shoulder backing replacement (in-kind), rehabilitation of two lighting poles, replacement of 16 standard highway signs (in-kind) and installation of 20 new bicycle signs, 12-inch shoulder and centerline rumble strips (total of approximately 3000 linear feet), re-striping, replacement dikes, utility relocations, and the replacement of existing guardrails with Midwest Guardrail System (total of approximately 26,300 linear feet) and other traffic safety systems devices.

Other traffic safety systems devices include temporary k-rail barriers and crash cushions, 15-foot-long and 3-foot-wall concrete barrier transitions, inline terminal systems, a metal beam transition railing, and approximately 2,000 linear feet of 2.9-foot-tall Type M thrie[4] beam barrier along the highway median near Calle Mariposa in

[4] "Thrie," an old Scottish word, essentially means three and refers to guardrails with three waves rather than two on traditional guardrails, providing increased resistance strength.

Gaviota. The concrete barrier transitions are only proposed along the highway at/near four bridge locations: Dos Pueblos Creek/Canyon Road overpass, Highway 101 overpass just southeast of El Capitán Ranch Road, El Capitán State Beach Road overpass, and Arroyo Quemado Bridge. The project also includes rehabilitation or reconstruction of existing shoulder backing sites, and no new or expanded shoulder backing is proposed.

Caltrans also proposes the construction of three new rail element walls with a maximum height of 2 feet and lengths ranging from approximately 63 to 713 feet. These element walls are proposed within the highway right-of-way at three locations in the vicinity of El Capitán where the width behind the proposed MGS is too narrow to comply with design standards at these specific locations, as discussed in greater detail in **Section V.D** and **Section V.F** of this report below.

Additionally, Caltrans is proposing to stabilize two road embankments to address persistent slumping and settlement due to ongoing erosion, mechanical breakdown from roadway activity, and natural weathering. One embankment is located approximately 400 feet northwest of the Dos Pueblos Creek/Canyon Road overpass in Naples (approx. PM 30.1), and the other is approximately 50 feet west of Calle Real/Highway 101 intersection (approx. PM 41.72). To stabilize these sites, Caltrans plans to use high-density polyurethane foam injections for soil densification, which is discussed in greater detail in **Section V.C** of this report below.

Overall Project

Regarding the overall project, a total of approximately 13,000 cubic yards of grading (cut + fill) is anticipated, limited vegetation removal, and re-planting of disturbed areas with native vegetation is also proposed. No culvert drainage improvements are proposed. And no impacts to agricultural lands are anticipated.

Construction is tentatively scheduled to begin on January 11, 2028, and continue through August 16, 2030, for a total duration of approximately 31 months (just over 2.5 years). Specifically, the current projected timeline for the construction of the wildlife crossing is approximately 166 days, including all construction preparation and cleanup activities. Work is proposed only during daylight hours, and no work is proposed on weekends or holidays.

B. Site History

In 2020, the County of Santa Barbara granted a permit with conditions to Caltrans for a separate culvert project at Canada del Barro and Highway 101, Gaviota, Santa Barbara County. In 2020, the Coastal Ranches Conservancy and Gaviota Coast Conservancy filed an appeal challenging the County's approval of that separate culvert project, asserting that the project design was inadequate for wildlife connectivity and failed to adequately mitigate environmental impacts along Highway 101.

In response, Caltrans withdrew its local coastal development permit application with the County for that culvert project in 2021, and the current project was subsequently developed collaboratively with stakeholders, wildlife experts, regulatory agencies, all of whom reviewed the assessment's methods and findings.

C. Biological and Marine Resources

Applicable Coastal Act Provisions

The Coastal Act provides protection for natural resources and habitats, including environmentally sensitive habitat areas (ESHAs). Relevant provisions include:

> **Section 30107.5**: "Environmentally sensitive area" means any area 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 30240**: (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such 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 such areas, and shall be compatible with the continuance of such habitat areas.

The Coastal Act also protects marine resources and related habitats such as streams, as well as water quality. Relevant provisions include:

> **Section 30230**: 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**: 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**: 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.

Likewise, Santa Barbara County's certified LCP contains several policies that protect biological resources and water quality in similar ways, and may be used as guidance, and it also incorporates the above-mentioned Coastal Act policies directly into its Land Use Plan (LUP).[5]

Consistency Analysis

Environmentally Sensitive Habitat Areas Monitoring and Avoidance

Section 30240 of the Coastal Act limits development within ESHA to uses that depend on the resource, and development adjacent to ESHA must be sited and designed to avoid impacts that could significantly degrade ESHA. ESHA includes areas that support native plants listed as state or federally threatened or endangered, California Rare Plant Ranks 1B and 2, and species or sensitive natural communities with rarity rankings G1 to G3 and/or S1 to S3 as listed by the California Department of Fish and Wildlife. ESHA also includes habitat for native wildlife ranked as state or federally threatened or endangered, rarity ranks G1 to G3 and/or S1 to S3, and as fully protected by the California Department of Fish and Wildlife on their special animal list. The Coastal Commission and some LCPs also recognize ESHA categorically (e.g., dunes, bluffs, riparian) or based on its role as "especially valuable habitat," such as significant wildlife corridors, coast live oak woodlands, tree stands supporting monarch roosts or waterbird rookeries, or grasslands with at least 10% cover of native grasses and forbs.

General Project ESHA Analysis

Caltrans evaluated the project's potential effects on habitats and natural resources. To determine potentially sensitive biological resources within the project area, Caltrans conducted a desktop review and field surveys, as well as used aerial maps, Caltrans GIS data, and geospatial/search data from the California Natural Diversity Database (CNDDB). The project site is located within a rural setting primarily dominated by annual grassland, mixed chapparal, and pockets of coastal scrub species mixed with non-native ruderal species. Native plant species include coyote brush (*Baccharis pilularis*), California sagebrush *(Artemisia californica*), and California blackberry (*Rubus ursinus*). Non-native species include mustard (*Brassica nigra*), Italian thistle (*Carduus pycnocephalus*), soft chess brome (*Bromus hordeaceus*), and fennel (*Foeniculum vulgare*), as well as several Peruvian pepper trees (*Schinus mole*) at the proposed

[5] See, for example, Gaviota Coastal Plan key policies such as LU-10 (Coastal), NS-2 (Coastal), NS-3, NS-4 (Coastal), NS-6, NS-7, NS-9, NS-11, NS-12 (Coastal), Dev Std NS-1 through NS-6, and TEI-14 and TEI-6; and Santa Barbara County LUP key policies such as 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-19, 9-1, 9-9, 9-11, 9-13, 9-14, 9-18, 9-22, 9-23, 9-26, 9-28, 9-34, 9-35, 9-36, and 9-37 (see Appendix A).

wildlife crossing location on the east side.

There are also numerous drainages of varied hydrology, riparian corridors, wetlands, estuaries, and ponds throughout, adjacent to and intersectional with Highway 101. Near the proposed wildlife crossing site along Highway 101, Gaviota Creek (designated Critical Habitat for Southern California steelhead and the California red-legged frog) is surrounded by riparian ESHA.

The project area includes areas mapped as critical habitat for the federally threatened and rare California red-legged frog (CRLF); however, impacts would be limited to temporary effects on potential CRLF dispersal habitat that may or may not constitute ESHA,[6] generally within or near shoulder backing areas, with no impacts to aquatic breeding habitat, and the project is expected to ultimately enhance connectivity for red-legged frog and other native species.

Caltrans proposes in-kind shoulder backing replacement where erosion or weather is present at the edge of the pavement and for areas where the existing surface grade is raised or where pavement drop-off is present. The width of shoulder backing will be established by a 6:1 max slope or 2 feet minimum. Therefore, shoulder backing is typically 2 to 3 feet wide. Existing shoulder backing generally consists of broken stone, gravel, sand, pavement, and/or cement. Caltrans clarified that sparse non-native ruderal vegetation may be present within disturbed shoulder backing but these areas are routinely maintained, and no trees occur within the shoulder backing. No new or expanded shoulder backing, or shoulder widening is proposed.

Caltrans states that they are proposing to install environmentally sensitive area (ESA) fencing in accordance with the instructions of a qualified biologist and under the supervision of such a biologist during construction. Additionally, Caltrans proposes protective measures including (1) a requirement that all work affecting CRLF be conducted under the oversight of U.S. Fish and Wildlife Service (USFWS) approved biologists, including pre-work surveys, worker training, frog relocation, and monitoring, with work halted and USFWS notified if unexpected impacts occur; (2) requirement that construction must minimize disturbance to CRLF habitat by limiting access and staging areas, avoiding sensitive habitats and breeding periods when practicable, controlling trash, sediment, spills, and water diversions, and (3) requirement to restore natural contours and native vegetation after construction at the wildlife crossing site. **Special Condition 3** memorializes these protective measures to ensure they are implemented

[6] Caltrans often assumes the presence of CRLF based on nearby documented CNDDB occurrences and the presence of potential upland and dispersal habitat near the highway, drainage ditches, and culverts. Although some gravel highway shoulders are mapped as CRLF critical habitat, field conditions indicate that these areas are generally unsuitable for habitat use beyond brief dispersal events. The highway gravel shoulders and shoulder backing areas are not suitable CRLF habitat; however, impacts to potential CRLF dispersal habitat along highway edges affected by shoulder improvements remain possible. Even if minor impacts to dispersal habitat were to occur, they would be temporary and would not result in any significant degradation of those areas.

and specifically requires that any construction in CRLF habitat shall occur only after a 24-hour dry-out period after wet weather.

Additionally, Caltrans has indicated that no work is proposed within any riparian corridor, and although work will likely occur within 100 feet of the riparian ESHA, no impacts to riparian ESHA are anticipated. This is because it has been sited and designed to avoid impacts that would significantly degrade ESHA including avoidance and/or minimization measures as detailed below. No temporary or permanent impacts will occur within the Gaviota Creek ESHA. Additionally, although ESHA and other habitats exist adjacent to the project site, the scope of work would be confined to the Caltrans' existing public right-of-way and construction activities would be limited to paved and previously disturbed areas. Caltrans also proposes to avoid riparian habitat along/near Gaviota Creek through flagging and exclusion environmentally sensitive area (ESA) fencing, which is also included in **Special Condition 3**. Therefore, no special status species effects are anticipated, and compensatory mitigation for ESHA is not required. Thus, the project will not significantly degrade nearby ESHA.

Wildlife Crossing

As previously stated, the project will replace the existing smaller culvert/cattle undercrossing with a dedicated larger wildlife undercrossing/culvert with a natural bottom. Overall, the public and wildlife safety benefits of the wildlife undercrossing are anticipated to have a net benefit to Gaviota Coast ecosystems by facilitating safe wildlife movement within the Gaviota Creek–Highway 101 corridor.

The proposed Gaviota wildlife undercrossing was driven by several factors described above, as well as years of local reporting documenting the high frequency of wildlife vehicle collisions (WVCs). In 2019, the Coastal Ranches Conservancy commissioned a University of California, Santa Barbara team to study on wildlife roadkill on Highway 101 in the Gaviota Pass area. This study identified Gaviota Pass as a roadkill hotspot in the top 15% statewide, prompting the California Department of Fish and Wildlife (CDFW) to place the location on its statewide wildlife crossing remediation priority list.

In 2021, Caltrans commissioned the two-year 2022 WVC study to analyze wildlife movement and roadkill patterns and identify areas with consistently high wildlife mortality. Between March 2022 and March 2023, the study documented more than 100 wildlife carcasses, including mountain lion, black bear, mule deer, and other native species. The WVC data informed the 2023 Gaviota Pass Highway 101 Wildlife Connectivity Assessment (WCA), which was prepared by an independent third-party (ICF) for Caltrans. The WCA evaluated wildlife movement and crossing conditions and identified opportunities to improve connectivity, reduce WVCs, and enhance road safety. The WCA found that the existing concrete box culvert, constructed in 1952 as a cattle undercrossing, is frequently used by small and medium-sized wildlife (e.g. bobcats and raccoons) but is too small to comfortably accommodate larger mammals. The larger wildlife crossing is intended to provide a more open, accessible passage for large mammals such as deer. The existing culvert is relatively narrow and confined,

which can discourage use by larger species even though smaller mammals readily use it. Increasing the crossing's width and height would improve openness and visibility, accommodate a broader range of species, and increase the likelihood of consistent wildlife movement beneath Highway 101.

Identified through Caltrans' 2023 WCA and supported by an $8 million Federal Highway Administration grant, the larger crossing is therefore designed to accommodate mountain lion (*Puma concolor*), American black bear (*Ursus americanus*), bobcat (*Lynx rufus*), coyote (*Canis latrans*), American badger (*Taxidea taxus*), mule deer (*Odocoileus hemionus*), and other wildlife and improve habitat connectivity between State Park lands and adjacent Los Padres National Forest and the Gaviota Coast Range. The project will also include approximately 0.37 miles of 8-foot-high wildlife exclusion fencing (or deer fencing) on either side of the Highway and two one-way escape ramps to guide animals toward the crossing, reduce wildlife-vehicle collisions (WVCs), and improve public safety (see **Exhibit 4**). The project's fencing limits are based on several factors, such as clear recovery zone limits and safety, topography, Caltrans right-of-way boundary, and accessibility for maintenance. Caltrans states that deer use riparian and willow-dominated habitats and that deer are documented throughout the study area. Therefore, Caltrans also proposes additional vegetative improvements at the eastern end of the crossing to enhance habitat.

By providing a safer movement corridor through Gaviota Pass, the project is expected to particularly benefit wide-ranging species such as mountain lions by improving habitat connectivity, dispersal, genetic exchange, and long-term population resilience.

Overall, the specific site and design of the proposed wildlife undercrossing and associated infrastructure were informed by Caltrans' 2023 Gaviota Pass Highway 101 Wildlife Connectivity Assessment, the U.S. Department of Transportation Federal Highway Administration's Wildlife Crossing Structure Handbook: Design and Evaluation, peer-reviewed scientific literature, and the habitat and movement needs of the identified target species. Overall, the project is not expected to adversely affect listed species or their habitats and is expected to provide net long-term benefits to wildlife connectivity in this high-use highway corridor.

Still, the project could have potential impacts to ESHA in its construction and placement, but Caltrans has addressed these issues through design and the selection of several project avoidance and/or minimization measures (AMMs) to minimize impacts to nearby natural resources and to protect water quality (see **Exhibit 5**). Caltrans is proposing the CRLF protective measures discussed above, as well as proposes to conduct construction operations outside of the nesting season and others measures to protect nesting birds and sensitive coastal coyote brush scrub, and invasive species control and removal, with strict safeguards for any necessary herbicide use. Caltrans is also proposing multiple construction BMPs; environmental awareness training on sensitive species and plants; flagging of biologically sensitive areas; clearly defined access and

staging areas, measures to reduce the spread of invasive species; exclusion fencing to protect habitat from construction impacts and accidental worker trespass; temporary wildlife fencing or other measures to prevent entrapment; proper disposal of trash and debris; and pre-construction surveys conducted by a qualified biologist for nesting birds and measures to ensure buffers and other protective measures during the nesting/breeding season (February 1 to August 31). All staging and access to the project site would occur along Highway 101. The AMMs will ensure that nearby and adjacent ESHA will not be significantly degraded. **Special Condition 3** requires adherence to these measures, unless modified by this CDP, and **Special Condition 2** requires the submittal of a final construction plan and that multiple construction BMPs be implemented.

Vegetation removal is also proposed at the wildlife undercrossing site to accommodate the larger structure, as well as in disturbed shoulder-backing areas that currently consist of gravel, sand, pavement and/or concrete, where only sparse, non-native ruderal vegetation is present and no trees occur. However, as previously mentioned, Caltrans proposes re-planting at both sides of the highway adjacent to the wildlife crossing location to enhance habitat. **Special Condition 4** requires Caltrans to submit a final landscaping plan for approval before construction that uses locally-sourced native species appropriate for the area, excludes invasive and noxious plants, and provides erosion-control measures after grading.

Regarding potential herbicide use, **Special Condition 5** requires that the applicant submit an Integrated Pest Management Plan for the Executive Director's review and approval at least 30 days prior to any herbicide application, prioritizing non-chemical methods and limiting herbicide use to the least toxic and persistent effective products, subject to specified application restrictions and protective measures.

Marine Resources and Water Quality

Caltrans is proposing to stabilize recurring embankment slumping along Highway 101 at Dos Pueblos and Guillermo canyons by injecting geofoam grout, a high-density polyurethane foam/resin, beneath the roadway. This material would fill voids under the roadway and expand to densify the underlying soils. Expandable polyurethane geofoam consists of two separate polyurethane components that are mixed and pumped at high pressure through small-diameter boreholes into the soil. Once mixed, the components undergo a chemical reaction that generates carbon dioxide (CO_2) gas; the resulting gas bubbles cause the material to expand as it simultaneously hardens.

Geofoam grout is designed to rapidly expand without shrinkage and is suited for filling large voids and cavities. Soil densification is achieved by injecting this two-part, water-insensitive foam under pressure at various elevations, allowing the expanding material to displace and compact in-situ soils while surface elevations are monitored.

The geofoam would be installed solely beneath the roadway. The total roadway area affected is approximately 26,750 square feet total across the two locations, or roughly

0.08 miles for each highway sections. The exact amount of geofoam ultimately injected will depend on the size and extent of voids encountered during construction. Caltrans anticipates injecting up to 32 cubic yards of geofoam, which then reacts and expands to fill the subsurface voids. Although the injected volume will be much smaller, the maximum theoretical cured volume across both locations is approximately 25,650 cubic feet.

Caltrans states that the embankments have weakened over time due to erosion (loss of fines decreasing the contact between soil particles), roadway loading, biological activity, and natural weathering, resulting in slope instability, settlement, cracked and uneven pavement, and damaged guardrails. Caltrans considered several repair options discussed in greater detail below but selected polyurethane injection because it can strengthen and stabilize the embankment with substantially less environmental, construction, and traffic impacts. Caltrans states that polyurethane injections would fill voids with a material lighter than the embankment soil while increasing the density of the soil and bonding weakened soil particles to improve embankment strength, and that polyurethane grout cures quickly (typically within 30 minutes to 16 hours) allowing the work to be completed in one to two days.

Commission staff, however, raised concerns about using polyurethane particularly because the two embankment sites are located adjacent to creeks, and one of these sites there is a particularly dense riparian forest and a creek that supports salmonids some 100 feet away.

Geofoam Alternatives

Because of concerns about potential leaching and impacts to water quality, staff discussed a number of alternatives with Caltrans that could potentially effectively meet the project's stabilization needs. Mud jacking, also known as compaction grouting, works by injecting grout (a mixture of water, sand, and cement) into the ground under high pressure to fill voids and jack concrete slabs or pavement up to its original level. Like the polyurethane injection method, mud jacking would not require excavation and also has a short curing time (approximately 24 to 48 hours). However, Caltrans asserts mud jacking could restore the level or grade of the highway but would not be as effective in mitigating the cause of the settling embankment. Mud jacking would inject sand into the pore space of the embankment, but it would not significantly increase the strength of the soil and instead would add more weight to the embankment which increases embankment soil instability.

Other alternatives considered by Caltrans include a no-project alternative, a full or partial embankment reconstruction of the highway embankment, removing and replacing soil with light-weight cellular concrete building retaining walls, and caissons. Caltrans asserts, however, that a no-project alternative would allow the continued degradation and slumping of the embankment which will show up as continued pavement failures, increased maintenance operations, increased erosion on the

embankment, and increased risk of failures to the highway.

Also, Caltrans asserts that the full/partial reconstruction alternative, which would involve digging up the embankments and recompacting them, would require extensive excavation[7] and would potentially triple the footprint of the proposed slope stabilization work. Additionally, this method would result in a markedly longer construction period due to excavation and re-compaction requirements, extending into several weeks. Because this method would require a substantially larger construction footprint and a longer work period, it would increase the potential for adverse effects to the adjacent creek at both sites and the dense riparian forest at one of the embankment sites. Extended excavation, staging, and equipment activity would heighten the risk of sedimentation, vegetation disturbance, and encroachment into sensitive riparian ESHA habitat, making this approach considerably more impactful than the more limited, shorter duration alternatives.

Removing and replacing soil with light-weight cellular concrete was ultimately not chosen because this approach would have required additional geotechnical investigation and engineering analysis to determine what solution would actually improve soil stability. This approach would also be similar to the limitations and issues raised by full/partial reconstruction alternatives as it would require excavating and reconstructing a section of the highway. Caltrans estimates that excavating and reconstructing a section of the roadway could take multiple weeks to complete.

A retaining wall or caissons were considered but were ultimately also deemed overly invasive, with the estimated footprint of work likely doubling when compared to that of the polyurethane injection approach. Similar to the full/partial reconstruction alternative, the retaining wall and caisson alternatives would also entail a much longer schedule, likely ranging into several weeks of work and also increase the potential for adverse impacts to adjacent creek and ESHA.

Additionally, Caltrans indicated that these other alternatives would require more earthwork and environmental impacts that would also trigger other permitting requirements from U.S. Army Corps and the Water Board, and that these longer timelines and project delays would delay and even jeopardize the accelerated timeline for the wildlife crossing and the federal grant that funds the crossing.

Water Quality Concerns

Caltrans asserts that the proposed polyurethane geofoam presents minimal risk to groundwater because it will be injected deep within the embankment and beneath the roadway, away from exposed surfaces and major water pathways. Caltrans also asserts it cures quickly, is hydrophobic and inert, and will remain buried and undisturbed. Although the hardened geofoam will be in direct contact with the soil, Caltrans maintains

[7] Caltrans is unable to provide an estimate of the total amount of excavation, stating that additional geotechnical investigation and analysis would be required before any engineering assessments can be made to propose a suitable solution that would improve soil stability.

that no chemical interactions with soil or water (if present), or physical interactions such as abrasion, are anticipated. The geofoam is expected to extend to a maximum depth of 16 feet, with a separation of approximately 20 to 30 feet between the injection material and potential groundwater. According to Caltrans' geologist, groundwater is unlikely to be present in meaningful quantities above the highway berm, and no evidence of subsurface water movement was observed during a site visit to either injection location. The geologist further indicated that, even if subsurface water were present, it is unlikely to flow with sufficient velocity or force to abrade the buried, cured geofoam, which would have substantially compacted the surrounding soil during installation.

Caltrans environmental specialists reviewed the approach and determined that no impacts are anticipated on protected coastal, biological, or cultural resources. Caltrans supporting information indicates that cured polyurethane is highly durable, with an anticipated service life measured in decades (ESI Limited, 2018). Additionally, Caltrans indicates that it would maintain proper documentation of all injection sites and that personnel would not be able to unearth the material without prior and careful screening. Overall, Caltrans asserts that presently polyurethane injection is the most effective, least environmentally impactful, and most cost-efficient solution for strengthening the specific failing embankments and preventing further pavement and slope deterioration.

However, out of an abundance of caution regarding potential impacts on groundwater and general environmental concerns and pursuant to Commission technical staff recommendations (water quality, ecology, and geology specialists), **Special Condition 6** requires Caltrans to submit a geofoam installation and monitoring plan prepared by a qualified professional for Executive Director review and approval at least 30 days prior to injection, including product safety and chemical disclosures, and measures to protect groundwater, subsurface drainage, and coastal resources from contamination or unintended releases. Caltrans must maintain as-built records, conduct annual inspections and reporting for 10 years, perform post-event inspections and reporting, and implement water quality investigations and corrective actions if monitoring identifies potential impacts to coastal resources. **Special Condition 6** also requires Caltrans be responsible for the perpetual maintenance of the geofoam and the removal and cleanup of materials in the event of future geofoam or embankment failures.

Given the limited scientific information currently available regarding the potential ecological and water quality effects of geofoam materials, Caltrans has committed to use only products for which a Safety Data Sheet has been developed and is available. This would help ensure that the material used for the proposed project has been subjected to a minimum level of testing and evaluation. Further, both Commission and Caltrans staff will continue to coordinate on the collection and assessment of new studies and scientific literature that becomes available regarding the effects of geofoam products on the environment. These efforts will help ensure that potential future use of such products in or near sensitive areas of the coastal zone is done as responsibly as possible and informed by the most updated and current information.

Overall, the narrowly constrained circumstances of this project support approval of the geofoam use in this limited case. These circumstances include the absence of feasible and acceptable alternatives, the placement of the material beneath the highway rather than in or adjacent to a marine, river, or stream environment, the lack of groundwater or other water flows across the proposed injection site, and the fact that the site is located on a raised embankment where water infiltration and connectivity to nearby waterways is unlikely. Approval of the geofoam in this limited case does not, however, indicate that similar proposals will be acceptable in the future. Any future use of geofoam will require site-specific evaluation and consideration of evolving scientific literature regarding the safety and environmental effects of these materials.

Other

Additionally, the project is expected to result in approximately 436 square feet of new impervious surface. However, given the relatively small estimate of new impervious surface, hydrologic disconnection from ESHA, waterways, and other sensitive habitats, and runoff dispersal into dense roadside vegetation, the Commission's Water Quality Team does not expect the project to negatively impact water quality. Therefore, no additional runoff capture and treatment is required in this case to offset the estimated small increase in runoff.

To further ensure the prevention of construction-related impacts to water quality and marine resources and to minimize erosion, the Commission imposes **Special Condition 2**, which requires Caltrans to implement construction best management practices throughout all phases of construction and to adhere to their proposed AMMs. As conditioned, the proposed project is not anticipated to result in significant adverse impacts to marine resources and water quality.

Public Correspondence, and Responses to Public Correspondence

As related to the ESHA section discussed above, on August 28, 2026, September 14, 2026, and October 8, 2026, Commission staff received comments from Mr. Doug Campbell, submitted on his own behalf as an interested individual, though he is also a member of the Coastal Ranches Conservancy.[8] The correspondent questions Caltrans' selection of the proposed crossing location and design. He asserts that the 2023 WCA recommended crossings approximately every one-half mile but did not prioritize specific locations or adequately consider opportunities to combine terrestrial wildlife passage with steelhead passage. He also questions whether the selected location was chosen primarily for construction convenience, whether expanding the existing culvert would provide sufficient biological benefits, and whether deer would actually use the crossing given the dense willow habitat at its western end, which may be unattractive to mule deer due to predator cover. He further suggests that additional measures could improve the likelihood of deer using the crossing and questions whether CDFW had adequately considered these issues. He also suggests a comprehensive master plan prioritizing

[8] This correspondence is available online under the Coastal Commission's November 2026 Public Meeting agenda item for this application at: https://documents.coastal.ca.gov/reports/2026/11/F10a/F10a-11-2026-corresp.pdf

wildlife crossings and fish passage movements.

Caltrans states that the selected location was identified through the independent 2023 WCA, which identified 38 potential opportunities and ranked the selected location as having the highest need and highest benefit for wildlife connectivity based on factors including habitat security, wildlife/roadway conflicts, and connectivity in the region. Caltrans clarified that the WCA recommends considering crossings at approximately 0.5- to 1-mile intervals, rather than requiring crossings every one-half mile, and that Caltrans has upcoming separate plans to improve two other culvert locations that will address both fish passage and wildlife connectivity. Caltrans also states that the presently proposed undercrossing/culvert was designed according to federal wildlife-crossing guidance and target-species needs after a bridge alternative was determined to exceed available grant funding.

Caltrans further notes that the existing culvert has documented use by small and medium-sized wildlife but no documented use by large target species such as deer, mountain lions, or bears, which the larger crossing is specifically intended to accommodate. Caltrans states that deer use riparian and willow-dominated habitats and that deer are documented throughout the study area. Caltrans also states that additional vegetative improvements at the eastern end of the crossing are also intended to enhance habitat. Finally, Caltrans emphasizes that the project was developed through consultation with stakeholders, wildlife experts, regulatory agencies, and CDFW, which reviewed the WCA methodology, results, and selected project location. Caltrans also asserts that the enlarged culvert (as opposed to a previously considered bridge) follows federal design standards while remaining within grant funding constraints.

Additionally, the WCA document provides recommendations rather than regulatory requirements, and construction of this crossing at this location now would not preclude additional crossings elsewhere in the corridor in the future.

On October 20, 2026, Commission staff also received a letter from Mr. Jake Tanda, an interested member of the public, expressing support for the proposed wildlife crossing. The letter highlighted the high incidence of wildlife mortality along Highway 101, the effectiveness of existing wildlife corridors in reducing wildlife-vehicle collisions, and the project’s consistency with Coastal Act policies, particularly Sections 30240 and 30251.

Conclusion

The project’s siting and design, avoidance and minimization measures and special conditions imposed would prevent significant adverse impacts on coastal waters, wetlands, and other protected biological resources. The Commission finds that, as conditioned, the project will protect marine resources, water quality, biological productivity, ESHA and human health, as required by Sections 30230, 30231, 30232, and 30240 of the Coastal Act.

D. Coastal Hazards

Applicable Coastal Act Provisions

The Coastal Act generally requires that project-related coastal hazards be minimized and requires resource protection against potential impacts associated with coastal hazard response. The Act also requires the Commission to consider the effects of sea level rise in development review. The Coastal Act states, in relevant part:

> **Section 30001.5**: The Legislature further finds and declares that the basic goals of the state for the coastal zone are to: … (f) Anticipate, assess, plan for, and, to the extent feasible, avoid, minimize, and mitigate the adverse environmental and economic effects of sea level rise.
>
> **Section 30235.** Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply…
>
> **Section 30253**: 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…
>
> **Section 30270**: 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.

Additionally, Santa Barbara County's certified LCP includes a series of coastal hazards provisions in similar ways that may be considered as guidance, and it also incorporates the above-mentioned Coastal Act policies directly into its LUP.[9]

Consistency Analysis

Highway 101 is a major coastal highway that provides an essential transportation and public safety connection for Santa Barbara County communities, as well as a heavily used recreational and public access route. The proposed project has been

[9] See, for example, Gaviota Coastal Plan (GCP) key policies such as LU-13 (Coastal), NS-2 (Coastal), NS-4 (Coastal), NS-6, NS-7, NS-9, and NS-11 (Coastal); Dev Std LU-2 and LU-3, Dev NS-2 through NS-5, and TEI-9; and Santa Barbara County LUP key policies such as 3-4 through 3-9, and 3-12 (see Appendix A).

deemed a necessity by Caltrans and has been funded to preserve and extend the service life of this stretch of highway, as well as to enhance safety for the traveling public and regional wildlife by reducing wildlife-vehicle collisions in the area.

The proposed project involves developing transportation infrastructure along the coast between Naples and the Gaviota Coast region in areas at risk of geologic, flood, fire, and seismic hazards. The Coastal Act requires minimizing risks in flood-prone areas. Development near the sea is vulnerable to wave energy, erosion, and storm flooding, all exacerbated by Sea Level Rise (SLR). Coastal Act Sections 30253 and 30270 mandate minimizing risks to life and property, ensuring stability, and avoiding harm to natural landforms, taking into account the adverse effects of erosion, SLR and flooding, fire and seismic hazards.

Geologic and Seismic Hazards

The project area contains two embankment sites within the roadway with ground slumping issues. These sites were identified due to exhibiting pavement distress with low strength soils within the subsurface of the area. Caltrans states that the slumping has resulted from embankment soils degrading due to a combination of forces from internal erosion (loss of fines decreasing the contact between soil particles), mechanical breakdown from roadway activity and vehicle weight, biological disturbance from plants and animals, and natural weathering, leading to increased slope instability and settlement. This instability has led to slumping slopes, unsupported segments of guardrail, cracked pavement, and an uneven roadway surface.

To stabilize these two embankment sites, as discussed above, Caltrans is proposing polyurethane geofoam injection, a process which is described in greater detail in the **Section V.C**. Outside of these two slumping sites, there are no areas within the project limits with substantial soil erosion or loss of topsoil. Additionally, there is no pronounced risk of landslide along the entire project corridor.

Caltrans also proposes the construction of 3 new rail element walls with a maximum height of approximately 2 feet and lengths ranging from approximately 63 to 713 feet at three select locations within the right-of-way in the vicinity of El Capitán because the width behind the proposed MGS is too narrow to comply with design standards. These walls would be constructed parallel to and behind the guardrail to allow backfill to be placed between the walls and shoulder edge to help restore eroded embankment areas while ensuring the installation complies with MASH guardrail requirements. These walls are essentially buried guardrails to support the earth at specific locations.

The project area is located approximately 12 miles southwest of a potentially active portion of the Los Alamos fault, and seismic ground failure potential such as liquefaction is unlikely or nonexistent. Additionally, the project is not anticipated to exacerbate the impacts of seismic hazards or be any more susceptible to damage than under current conditions.

The project may cause soil disturbance and erosion during construction. To prevent further destabilization, proper grading, soil removal, and best management practices (BMPs) are recommended. Caltrans will implement a Stormwater Pollution Prevention Plan (SWPPP) and construction BMPs to minimize erosion and topsoil loss. **Special Condition 2** require submission of a final construction plan with BMP and stormwater details before construction to protect water quality and prevent erosion.

Sea Level Rise and Flooding Hazards

Most of the project area is located within a half mile of the coast. Much of the project corridor follows a coastal bluff or terrace, with several portions running directly above the shoreline and dropping down to the beach, along with brief inland shifts at creek crossings or where the terrain widens. However, despite the proximity to the ocean, much of the project area is located inland of the immediate shoreline and traverses relatively level terrain and elevated areas, including areas near coastal bluffs and elevations vary throughout the project area. However, in areas where the highway is closest to the shoreline, its elevation ranges approximately 60 to 90 feet above sea level.

The project's lifespan is approximately 75 years for the wildlife undercrossing and approximately 20 years for the CAPM. In reviewing the usual SLR issues and considering the more recent 2024 Ocean Protection Council (OPC) projections, which the Commission adopted into updated SLR guidance, an applicable review is an estimated SLR at 2.8 and 0.6 feet under the intermediate-high scenario (most applicable to the wildlife crossing and CAPM elements of this project, respectively), and 6.3 feet and 1.1 feet, respectively, under the high scenario by 2050. Using these projections and using Our Coast, Our Future's (OCOF's) Coastal Storm Modeling System (CoSMoS), the ROW in the project area is generally safe from SLR-related flooding in the project's lifespan. Additionally, SLR-related erosion and wave runup are not anticipated to pose a significant risk during the project's lifespan, particularly given the highway's elevated position.

Furthermore, throughout the entirety of the project area, there is an active railroad line (the historic Southern Pacific route) owned by Union Pacific Railroad, located between the highway and the coastal bluffs and shoreline. And the project corridor is located outside of the FEMA-designated 100-year floodplain.

Fire Hazards

Although CalFire's Fire Hazard Severity Zone mapping identifies the project area as within a Very High Fire Hazard Severity Zone, the proposed project is not expected to increase wildfire risk. Repairs and replacement materials such as guardrails, signage, and undercrossing materials will be constructed with fire resistant materials such as steel or concrete to help reduce potential exposure to wildfire. The project would not introduce new fire-vulnerable structures into the project area and is not anticipated to exacerbate the impacts of wildfires intensified by climate change or be any more

susceptible to wildfire damage than under current conditions.

Assumption of Risk

Development on near the coast carries inherent risks, including for the proposed project and surrounding roadway. Given the uncertainties and risks (e.g., geologic, SLR, flood, fire, seismic), unforeseen costs and impacts may arise from project approval. While the Commission aims to minimize these risks, they cannot be fully eliminated. Thus, due to the uncertainties associated with future hazards, the City must assume these risks as a condition of approval. Therefore, **Special Condition 10** requires the City to assume the risks of hazards to the property and waive any claim of liability on the part of the Commission.

Conclusion

The Commission finds that the proposed project, as conditioned, would minimize risks to life and property from geologic, flood, fire and seismic hazards and assure stability and structural integrity, consistent with Coastal Act Sections 30235 and 30253.

E. Public Access and Recreation

Applicable Coastal Act Provisions

The Coastal Act calls for the provision of maximum public recreational access opportunities, consistent with the requirement for protection of natural resource areas from overuse, and protects and prioritizes oceanfront land suitable for recreational, visitor-serving, and water-oriented recreational uses to be developed with such uses, especially lower cost recreation and visitor facilities. Coastal Act Sections 30210 through 30224 specifically protect public access and recreation. In particular:

> **Section 30210**: 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.
>
> **Section 30211**: 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.
>
> **Section 30212(a)**: 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…
>
> **Section 30212.5**: Wherever appropriate and feasible, public facilities, including

parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30213: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred…

Section 30221: Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30223: Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

In addition, Coastal Act Section 30240(b) also protects parks and recreation areas, such as areas through which the proposed project passes. Section 30240(b) states:

Section 30240(b): Development in areas adjacent to … 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 … areas.

Likewise, Santa Barbara County's certified LCP contains several policies that also protect public access and recreation in similar ways that may be considered as guidance, and it also incorporates the above-mentioned Coastal Act policies directly into its LUP.[10]

Consistency Analysis

The project involves work on Highway 101, a vital transportation corridor along Gaviota Coast that serves as a primary route connecting Santa Barbara communities to the west with destinations throughout the South Coast and along central California coast. Highway 101 provides important access for residents, commuters, commercial, agriculture traffic, emergency responders, and visitors traveling through and along the Gaviota Coast. The highway also provides direct access to public beaches (e.g., Gaviota State Park Beach & Campground, Refugio State Beach, and El Capitán State Beach), as well as to smaller, rugged, or undeveloped local coastal access points and stretches like Tajiguas Beach and San Onofre-area beach, viewpoints, and other destinations. The Gaviota Coast has a limited network of parallel and alternative routes, particularly in the vicinity of the project area, making Highway 101 critical to maintaining reliable regional and local access. Therefore, its continued maintenance is a necessity

[10] See, for example, Gaviota Coastal Plan (GCP) key policies such as REC-1, REC-3, REC-8, REC-9, REC-13, REC-13a (Coastal), REC-14, Dev Std REC-2, TEI-1, and TEI-3; and Santa Barbara County LUP key policies such as 7-33 (see Appendix A).

for all adjacent municipalities and communities.

The highway corridor within the project area consists of two 12-foot-wide lanes in each direction, for a total of four lanes. Current inside shoulder widths in the project area vary from 2 to 10 feet. All outside shoulder widths are primarily at least 8 feet wide, except along the Arroyo Quemado bridge and Gaviota Tunnel, where they are approximately two feet wide. As described above, the project includes a wildlife undercrossing to enhance public and wildlife safety, and highway preservation through re-pavement of the highway corridor including a few on- and off- ramps, upgraded guardrails, replacement signage and lighting, as well as other associated highway repair and maintenance activities.

In addition to the undercrossing and highway repair and maintenance activities, Caltrans is proposing several treatments to enhance public access and bicycle safety. These include installing rumble strips at select locations along the adjoining highway shoulder with space breaks for cyclists and installing 20 new bicycle signs indicating bicycle traffic and the presence of Bicycle Route 95 along the right-of-way. Caltrans is also proposing the rehabilitation of two lighting poles within the project limit to ensure upgraded and effective lighting in highly trafficked areas, and to address two slumping embankments to ensure continued public safety along the project corridor. Caltrans also is also proposing drainage grates and/or covers within the shoulder that are bicycle-safe and flush to the finished surface.

Caltrans proposes to generally maintain the existing width of the travel lanes at 12 feet and the existing width of shoulders at a minimum of eight feet. While shoulder widening is a priority for Caltrans as part of their Complete Streets objectives and requirements, shoulder widening is not included in this project, nor new bike lanes.[11] Caltrans states that it bases decisions regarding bicycle facilities on guidance such as the U.S. Department of Transportation, Federal Highway Administration (FHWA) Bikeway Selection Guide and the 2021 District 5 Active Transportation Plan. Caltrans asserts that in general, Class II bike lanes are not considered appropriate along high-speed freeway shoulders like Highway 101 because they can create safety conflicts with motorists using the shoulder for breakdowns, maintenance activities, and emergency response. Class II bike lanes are intended exclusively for bicyclists, and vehicles are prohibited from driving or parking in them. In addition, Caltrans states that the shoulders are already sufficiently wide enough within the project limits to accommodate other uses, except at the bridge and tunnel. Along Arroyo Quemado bridge is the only segment within the project area where cyclists are unable to use the right shoulder, and the bridge is not a candidate for widening because it is a protected historic resource; however, there are presently bicyclist-actuated warning signs and lights leading up to

[11] Each project is evaluated on a case-by-case basis to determine what additional improvements can fit within the roadway corridor, such as parking, trails, overlooks, or other public benefits, especially where wider shoulders are available. As a general rule and rebuttable presumption, all such major highway projects should incorporate these types of enhancements as they advance, even if nearby areas have not yet been improved.

the bridge. Aside from the bridge and tunnel, the existing shoulders within the project corridor are consistent with the FHWA bike facility selection guide, which states that the appropriate facilities are eight-foot outside shoulders for rural highways.[12] The proposed project would not add vehicular capacity to the highway and would not change the horizontal or vertical alignment of the highway.

In regard to the potential use of green-painted shoulders and sharrow markings or similar treatments along the project corridor, Caltrans states that green sharrows are not permitted in roadways where average speeds exceed 35 miles per hour and would be inconsistent with California Senate Bill 1216, which prohibits agencies from installing sharrows on roadways with posted speed limits of greater than 30 miles per hour. Caltrans also follows the current Federal Highway Administration MUTCD, which permits green-painted bike lanes in conflict zones where vehicles cross, merge, or turn across bike lanes. However, this treatment is generally used on urban, lower-speed roadways with numerous conflict points. Because the project area is predominantly rural, has relatively few intersections or driveways with US 101, has high vehicle speeds, and has comparatively low traffic and bicyclist volumes, Caltrans asserts the treatment is not warranted.

Caltrans' Design Information Bulletin (DIB) 94 (Complete Streets: Contextual Design on State Highway System) provides guidance for incorporating multimodal facilities and context-appropriate design treatments on state highways, including in urban, suburban, and rural main-street contexts. Caltrans has indicated that this high-speed highway corridor does not meet the applicable conditions for a DIB 94-based complete street improvements, including limitations associated with the corridor's expressway designation, operating speed, and existing bicycle and transit facilities.

California Assembly Bill (AB) 1014 also allows some limited speed reductions on certain highways that are not freeways under certain circumstances. The bill aimed to allow speed reductions in areas with high concentrations of bicyclists or pedestrians, especially those from vulnerable groups such as children or seniors. The current speed limit within the project corridor is currently 65 miles per hour, while the 85th-percentile speed is approximately 80 miles per hour. Caltrans maintains that the existing speed limit is appropriate and that they cannot set a speed limit below the 85th-percentile on this highspeed expressway. Several public beaches, campgrounds, and vista points are within the vicinity of the project site, however these areas do not generate significant volumes of pedestrians or cyclists on Highway 101 in the project area. Overall, speed reduction does not appear a high priority here and does not appear allowable under AB1014.

As just noted, multiple coastal access areas are reached by Highway 101 and sit adjacent to this highway corridor. However, the project is not expected to negatively impact these nearby recreational areas. On the contrary, the project would ensure

[12] The FHWA Bike Facility Selection Guide is available online at: https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-07/fhwasa18077.pdf

continued and improved public access up and down the coast and to numerous coastal access and recreational points. Other than during construction, the project would not alter or impede public access.

To minimize public access impacts during construction, Caltrans proposes a Transportation Control Plan to minimize impacts on the traveling public. Caltrans proposes to restrict daytime lane closures and limit closure activities on weekends and holidays to reduce inconvenience and support uninterrupted access to the highway and surrounding areas. Caltrans will also install temporary signage and barriers throughout the project limit to indicate ongoing work, indicate present lane closures, and detour traffic around lane closure within the existing roadway. Staging is proposed along the public right-of-way based on lane closures and would be established for storing construction equipment and materials, with proper management for sediment and material control in compliance with environmental quality standards. All access to the project site would occur via Highway 101.

To ensure public access impacts during construction are minimized, **Special Condition 2** requires, 30 days prior to commencement of construction, that Caltrans provide a plan including a complete construction schedule, provide that Caltrans' contractor maintain continuous access, and prohibits construction activity during the weekends and holidays in the peak summer months (i.e., from the Saturday of Memorial Day weekend through Labor Day, inclusive), unless Caltrans is able to demonstrate that due to extenuating circumstances, there would be no significant traffic impacts and the Executive Director authorizes such work as having no significant impacts to public access.

Conclusion

While there may be some temporary impacts to public recreational access during construction, the project would ultimately improve public access and safety, and no permanent adverse impacts are anticipated. The proposed development would improve and maintain existing facilities as well as improve wildlife connectivity and ecological health, and would not increase roadway capacity, alter long-term vehicular circulation, or result in long-term obstructions to public access to State Park lands or State Beaches. It would ensure Highway 101 remains open and safe for residents and visitors, with continued access to multiple points. As conditioned, the proposed project is consistent with the public recreational access provisions (i.e., Sections 30210, 30211, 30212(a), 30212.5, 30213, 30221, 30223, and 30240(b)) of Chapter 3 of the Coastal Act.

F. Public Views

Applicable Coastal Act Provisions

The Coastal Act provides that the scenic and visual qualities of coastal areas are resources of public importance that must be protected, and that new development is required to protect public views and designed to be visually compatible with the surrounding area. In highly scenic areas, such as the viewshed in which the site is

located, proposed development is also required to be subordinate to the character of its setting.

> **Section 30251**: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Additionally, Santa Barbara County's LCP contains several policies that also protect public visual resources in similar ways that may be considered as guidance, and it also incorporates the above-mentioned Coastal Act policy directly into its LUP.[13]

Consistency Analysis

Throughout the project limits, Highway 101 is an Officially Designated State Scenic Highway and among the most scenic stretches of coastline in the state, with much of the area marked by open coastal land, State Park land, and agricultural landscapes. Most of the project area lies along a coastal bluff or terrace, with several segments positioned immediately above the shoreline and featuring drop-offs to the beach, as well as short inland deviations at creek crossings or where the topography broadens. Key scenic resources include rock and geologic formations, Gaviota Creek, native vegetation, expansive Pacific Ocean views, historic bridges, and the landmark 1953 Gaviota Tunnel. The northern corridor crosses mountainous terrain (Santa Ynez Mountains), while the southern portion crosses the Santa Barbara coastal plain and terraces, characterized by sandy beaches and coastal terraces. Throughout this stretch, the highway is generally a quarter mile or less from the coast, with a maximum distance of approximately a half mile.

During the short inland deviations at creek crossings or where the topography broadens, public views of the coast are generally obstructed by existing development, topography, or vegetation. Existing obstructions can be particularly more pronounced from the viewpoint along the northbound lane due to sloping and median vegetation. Partial to full views of the ocean are present at most other locations in the project area again until just west of Gaviota, when Highway 101 takes a sharp turn due north and away from the coastline, but no major structural elements are proposed within these areas. In general, the proposed project does not have any major structural elements or

[13] See, for example, Gaviota Coastal Plan (GCP) Goal VIS-1 and key policies such as LU-10, VIS-1 through VIS-8, and VIS-11 through VIS-15, VIS-17, and TEI-1; and Dev Std VIS-1; and Santa Barbara County LUP key policies such as 4-3 through 4-10 (see Appendix A).

alterations that could impact coastal views or the character of the natural setting. Project elements that have some limited potential to impact public visual resources include the proposed wildlife crossing itself, new fencing, guardrail upgrades with new concrete barrier transitions or railings, element walls, and new signage, and vegetation removal. However, these elements are small alterations that do not block views, cumulatively change or affect views, and are consistent with the existing highway setting. Thus, despite the project's proximity to the coast, however, no permanent obstructions or negative, adverse impacts on public visual resources are anticipated as a result of the proposed project.

At the wildlife undercrossing project areas, Caltrans proposes to install two approximately 106-foot-long and 3.7-foot-tall post-and-cable railings atop the headwalls and wing walls of the undercrossing, as well as upgraded guardrails. In order to minimize and visual impacts, these elements will be all be stained brown. Caltrans also proposes less than a half mile of 8-foot-high wildlife exclusion fencing with dark-colored metal T-posts (deer fencing), and two earthen escape ramps (approx. 5- to 6-foot-tall with 8-foot-wide opening). Additionally, two 8-foot-high and 4-foot-wide chain link walk-through gates are proposed to allow Caltrans personnel to retain access to local culverts in the vicinity of the wildlife exclusion fencing for routine maintenance. These project elements will be located immediately north of the Gaviota State Park parking lot entrance, just after Highway 101 curves sharply northward and are not anticipated to result in obstructions to public coastal views. The proposed wildlife connectivity elements would also not block views of hills and ridgelines. In addition, the exclusion fencing will be located behind existing vegetation and slopes to the greatest extent feasible in order to limit public views of the fence.

The proposed project includes replacement of existing guardrails with approximately 26,300 linear feet of visually similar approximately 2.75-foot-high Midwest Guardrail Systems (MGS), including 3-foot-tall and 15-foot-long concrete barrier transitions at/near four bridges to meet current MASH standards. While the proposed concrete barrier transitions would help stabilize the guardrail system, their above-ground size would create a new, albeit limited, visual element along Highway 101. Additionally, approximately 2,000 linear feet of 2.9-foot-tall Type M thrie beam barrier along the highway median near Calle Mariposa in Gaviota. However, both the concrete barrier transitions and the thrie beam barriers are being proposed in areas where public views to the coast are already obstructed by vegetation, elevation changes, and existing development and are generally small elements and will not result in adverse negative impacts to visual resources. In addition, these barriers are generally consistent with the setting of a four-lane highway. In any case, regarding any proposed concrete barriers, railings, or walls, **Special Condition 1** requires they be the minimum size necessary, colored to blend with the landscape, and screened through design or vegetation to reduce visual impacts. It also requires guardrails to be sited and designed to blend with the setting, minimize reflective surfaces, and demonstrate visual compatibility in final plans.

Caltrans also proposes the construction of three new railing element walls. These element walls, however, will have a maximum height of two feet and will be located behind guardrail but within the right-of-way, below the finished grade of the roadway, and where public views to the coast and other visual resources are currently obstructed by existing development. Therefore, these structures are not anticipated to result in impacts to visual resources and community character.

Caltrans proposes the 20 new bicycle signs intended to improve pedestrian and cyclist safety. These bicycle signs would indicate bicycle traffic and the presence of Bicycle Route 95 along the subject highway corridor. These signs would introduce new visual roadway elements, but the impacts are expected to be relatively minimal.

Vegetation removal is also proposed at the wildlife undercrossing site to accommodate the larger structure, as well as in disturbed shoulder-backing areas that currently consist of gravel, sand, pavement and/or concrete, where only sparse, non-native ruderal vegetation is present and no trees occur. However, Caltrans proposes re-planting at both sides of the highway adjacent to the wildlife crossing location to enhance habitat. **Special Condition 4** requires Caltrans to submit a final landscaping plan for approval before construction that uses locally sourced native species appropriate for the area, excludes invasive and noxious plants, and provides erosion-control measures after grading.

Conclusion

As conditioned, the proposed development does not present a significant visual impact to the scenic resources from the roadway or along the beach. Overall, as proposed, the project would maintain existing scenic views with a project of this scope as it would not obstruct or impede coastal or wilderness views that are currently unobstructed. The proposed wildlife fencing will be located as much as possible behind existing vegetation and slopes to maintain current views. Therefore, the Commission finds the project, as conditioned, consistent with Section 30251 of the Coastal Act.

G. Archaeological and Tribal Cultural Resources

Applicable Coastal Act Provisions

> **Section 30244**: Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Additionally, Santa Barbara County's LCP contains several policies that also protect archeological and tribal cultural resources in similar ways that may be considered as guidance, and it also incorporates the above-mentioned Coastal Act policy directly

into its LUP.[14]

Consistency Analysis

The Commission recognizes that the entire coastal zone was originally Indigenous territory and remains culturally significant to Native American tribes. The Commission's Tribal Consultation Policy (adopted August 8, 2018) affirms the State's commitment to protecting Tribal Cultural Resources and improve communication and coordination with Tribes, and it sets out a tribal consultation process that is fully consistent with, and complementary to the nature of, the Commission's goals, policies (including Section 30244), and mission statement. Tribal Cultural Resources can be sites, features, cultural landscapes, sacred places, and objects with cultural value and can also qualify as archaeological, paleontological, visual, biological, or other resources that the Commission is tasked with protecting pursuant to the Coastal Act.

The proposed development is anticipated to involve highway improvements and rehabilitation activities that have the potential to damage, disturb, and/or unearth archaeological resources, including tribal cultural resources. In Caltrans' initial tribal outreach from 2024, the project archaeologist stated that while no cultural resources were found at the proposed fencing and wildlife undercrossing locations, there is an understanding that the project area is located in a sensitive region with known resources nearby. With that consideration, Caltrans stated their expectation for tribal groups and representatives to monitor ground disturbance. To minimize potential impacts to potential archaeological and tribal cultural resource deposits, Caltrans is proposing Environmental Commitments, Cultural Resources 1-3, which were incorporated into the CEQA Categorical Exemption for this project (see **Exhibit 5**), which includes halting work if discoveries are made and protocols if unexpected archaeological, cultural, or fossil resources are discovered during construction.

In accordance with the Commission's Tribal Consultation Policy, on July 23, 2026, Commission staff contacted tribal representatives and individuals identified by the NAHC to inform them about the application, offer consultation, and invite comments for the upcoming hearing. On August 20, 2026, representatives of the Santa Ynez Band of Chumash Indians (SYBCI) requested consultation in response to Commission staff outreach. In their communication, SYCBCI established that they had consulted directly with Caltrans and have requested to carry out tribal monitoring during ground disturbance for work within/adjacent to archeological resources, as well as at the wildlife crossing site. In past consultations with tribal governments for this area, it has been made known to staff that this is a culturally sensitive area and the presence of a tribal monitor has been requested for this area in the past. Accordingly, Commission staff informed the tribal representatives that staff would recommend a special condition requiring advance tribal notification, archaeological and tribal monitoring, work stoppage and exclusion zones in the event of discoveries, procedures for the treatment of human

[14] See, for example, Gaviota Coastal Plan (GCP) Goal VIS-1 and key policies such asCS-1, CS-2, Action CS-2, and Dev Std CS-1 through CS-6 (see Appendix A).

remains, and preparation and approval of a Supplementary Archaeological Plan.

Thereby, consistent with that consultation and to ensure consistency with Coastal Act Section 30244, **Special Condition 7** requires that Caltrans offer tribal monitoring to tribes with known ties to this area and allow any tribe that accepts the invitation to monitor ground-disturbing activities. **Special Condition 7** also requires Caltrans to submit a report to the Executive Director if archaeological resources are found, outlining proposed modifications or mitigation strategies. The Executive Director will then determine if the changes are permissible under the CDP or if an amendment is needed.

Conclusion

Based on tribal consultation between Commission staff and tribal nations, and cultural resource protection measures, the Commission finds that the proposed project, as conditioned, includes reasonable mitigation to protect archaeological or paleontological resources consistent with Coastal Act Section 30244.

H. Other

Minor Changes and Deadline Extensions

While the project has been thoroughly planned, minor unforeseen issues may arise during construction. To address this, the Executive Director may approve minor adjustments to special conditions, including deadline extensions or modification of work windows, without a CDP amendment if no amendment is legally required and such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources (**Special Condition 8**).

Future Development

The project site involves complex coastal resource issues and past Commission approvals, making it essential that any future development be considered in that context. Thus, **Special Condition 9** ensures that all future development related to this project or this CDP shall remain under the Coastal Commission's CDP jurisdiction. Limited/minor repair, maintenance and improvements may be covered by this CDP if deemed consistent with its scope and intent by the Executive Director and do not have significant adverse impacts to coastal resources. Any development that the Executive Director determines does not meet such criteria shall require its own CDP authorization.

Liability for Costs and Attorneys' Fees

Coastal Act Section 30620(c)(1) authorizes the Commission to require applicants to reimburse the Commission for expenses incurred in processing CDP applications. Thus, the Commission is authorized to require reimbursement for expenses incurred in defending its actions on the subject CDP in the event that the Commission's action is challenged by a party other than the applicant. Therefore, consistent with Section 30620(c), the Commission imposes **Special Condition 11** requiring reimbursement for any costs and attorney fees that the Commission incurs in connection with the defense

of any action brought by a party other than the applicant challenging the approval or issuance of this CDP, or challenging any other aspect of its implementation, including with respect to condition compliance efforts.

J. California Environmental Quality Act (CEQA)

Section 13096 of Title 14 the California Code of Regulations requires that a specific finding be made in conjunction with CDP applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

On November 18, 2025, as CEQA lead agency Caltrans determined the project is exempt from CEQA pursuant to the State CEQA Guidelines (i.e., Class 1 and 33. (PRC 21084; 14 CCR 15300 et seq.)) Due to changes in the project scope after the initial validation date, Caltrans applied for and was granted CEQA/NEPA revalidation on September 3, 2026. The Commission agrees that the project is exempt from CEQA; however, in any event, the Coastal Commission's review and analysis of CDPs has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of environmental review under CEQA (Section 15251(c)). As a responsible agency, the Commission has reviewed the relevant coastal resource issues of the proposed project and has identified appropriate and necessary modifications to address potential adverse impacts to such coastal resources. All above findings are incorporated herein in their entirety by reference, and the findings include responses to significant environmental points raised in comments received prior to publication of the staff report.

As described in the findings, the proposed project will be consistent with all relevant Chapter 3 policies and therefore will not result in any significant environmental effects. Therefore, there is no need to analyze additional alternatives or impose other mitigation measures. As conditioned, the proposed project is consistent with CEQA.