

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 8TH STREET SUITE 130
ARCATA, CA 95521
(707) 826-8950
WWW.COASTAL.CA.GOV



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STAFF REPORT: REGULAR CALENDAR

Application Number: 1-24-1028

Applicant: Humboldt County Department of Public Works

Project Location: Along Centerville Road, post-mile 4.62, and at Centerville Beach County Park, 5 miles west of Ferndale, Humboldt County.

Project Description: Reconstruct a ~900-foot-long segment of Centerville Road at Centerville Beach County Park vulnerable to wave overtopping, elevate the infrastructure on up to 10 feet of fill, and armor the new structure with rock revetment placed on the sandy beach.

Staff Recommendation: Approval with Conditions

STAFF NOTE

The subject application initially was scheduled for the Commission's March 12, 2026 hearing, but after publication of the staff report on February 26th and prior to the March hearing, the applicant requested that the item be postponed from the hearing agenda. The purpose of the postponement was to allow the applicant and Commission staff additional opportunities to discuss the recommended permit conditions and provide time for the applicant to schedule a local hearing on the recommended conditions with the Humboldt County Board of Supervisors for direction. The applicant has stated the need for the Board's direction on the matter since certain project changes recommended by Commission staff would necessitate formal County action to implement (i.e., enforcement of ban on motorized vehicular beach access). However, as of this date, the local hearing has not been scheduled (it is anticipated to be scheduled in September or October). No local hearing/local action is required for the Commission to consider and act on this application. Other than minor updates to the findings and conditions, the recommendations

included herein are the same as those published in the February 26, 2026 staff report.¹

SUMMARY OF STAFF RECOMMENDATION

Humboldt County Public Works is proposing to reconstruct an approximately 900-foot-long segment of Centerville Road and construct new off-street beach access parking at Centerville Beach County Park. The subject site is on and along a sandy beach directly below a steep coastal bluff. The project site is five miles west of the City of Ferndale in unincorporated Humboldt County. Centerville Road is a narrow two-lane County road with no shoulders, extending westward from the inland City of Ferndale out to the coast at the project site, then winding southward, climbing a steep coastal bluff before dead-ending amidst agricultural rangelands and coastal recreational lands (federally managed Lost Coast Headlands, part of the California Coastal National Monument system) a few miles south of the project site.

Centerville Beach County Park is a small 2-acre beach park dating back to the 1940s that provides free beach access with no other public amenities. Historically, there was a beach parking lot for up to 100 vehicles off the roadway, but today, virtually no off-street parking remains due to significant erosion and narrowing of the beach in this area over the decades – particularly during winter months. North and south of the County beach property the beaches and dunes continue, but these beach and dune areas are mostly in private ownership (connected to larger agricultural pasturelands that extend eastwards across the Eel River delta). As there are no signs or barriers alerting the public to the County's beach property boundaries, the public recreates this entire coastal sand spit south of the Eel River as "Centerville Beach." There also are no signs or barriers restricting vehicles from accessing the beach, so the County has managed the park to allow motorized vehicular use. This use has not been confined to the County park beach but has extended across other beach and dune lands north and south of the County beach property, contributing to resource damage and trespassing issues.

The project site has experienced repeated storm damage during the winter months over the past ~10 years. Storm surge events wash sand and debris onto and over the road, damaging the roadway and preventing vehicle passage until the road is cleared. The County has been maintaining the road as needed over the years, using heavy equipment to remove sand and debris, piling the material on the beach adjacent to the road and placing k-rails on the existing sandy beach to delineate the seaward extent of parking areas. Essentially, the County park is currently severely compromised due to erosion, sand build-up, and safety concerns with the current practice of people parking along the edge of the roadway for beach access where sight distance is poor due to the curvature of the road in this location. Regardless, Centerville Beach is a highly valued and popular beach, particularly with residents of the Eel River Valley, residents of and visitors to Ferndale (a popular visitor destination spot due to its unique historic character), and citizens of the Bear River Band of the Rohnerville Rancheria 10 miles to the east.

Under current conditions, the location and elevation of the project area renders it susceptible to episodic flooding from wave runup and overtopping during periods of high

¹ Accessible from the Commission's website: <https://documents.coastal.ca.gov/reports/2026/3/Th11b/Th11b-3-2026-report.pdf>.

waves and tides. The regional average long-term retreat rate is relatively high (estimated at -2.3 ft/year, with even higher localized rates of 4.8 ft/year in recent years immediately south of the site), and Centerville Beach experiences wide seasonal changes resulting in ~100 feet of beach width loss from summer to winter. High erosion rates coupled with the seasonal change in beach width change put the subject roadway at the project site at a very high risk of being damaged each winter by as early as 2030. Evidence suggests that the road is at severe risk of being destroyed by a combination of chronic retreat and storm-driven erosion within the next five years. Without this segment of roadway functioning safely, Centerville Beach and recreational lands to the south (Lost Coast Headlands) will no longer be accessible to the public without prolonged closure and reconstruction of the road (assuming the County could sufficiently finance this reconstruction).

Initially, the County actively pursued the option of realigning the road to an inland location rather than improving it in place as proposed, including identification of potential road alignments and design concepts for inland retreat alternatives that would provide for safety from hazards through 2100. However, private landowners were unwilling to provide right-of-way at the time due to concerns regarding safety, trespassing, vandalism, dumping, and other issues. As a result, the County proceeded with the studies and engineering work necessary for repairs to the facilities at the existing locations, which, as described above, are in a hazardous area subject to wave overwash events.

Thus, as proposed, the project would construct (on and along the existing road and on top of over an acre of sandy beach) an improved and new roadway segment and associated off-street parking elevated on fill along with a beach access ramp along the seaward face of the armored fill pad directly fronting the coastal bluff. The proposed structure will be armored along a length of 880 feet on its seaward side with rock revetment. The purpose of elevating the structure is to prevent flooding of the roadway from wave overtopping until approximately 2050.

While Centerville Road was originally constructed prior to 1977, the plans propose to redevelop this stretch of roadway by demolishing or abandoning the existing road section and constructing a new road section elevated in places by up to 10 feet above current grade as well as adding new paved parking areas on what is currently sandy beach, thereby creating a new structure not entitled to protection under Coastal Act section 30235. Also, though the proposed project includes an element of what may be considered a coastal-dependent function, which is beach access parking and an access ramp that will provide direct access to Centerville Beach by the public visiting this beach, a beach-access parking area generally does not need to be sited directly on or adjacent to the sea to be able to function, as evidenced by the many beach parking areas in the County and elsewhere along the coast not located on or directly adjacent to the sea and connected to beaches by vertical access trails. Indeed, the County's alternatives analysis provided for this project considers an alternative involving relocation of beach parking inland on the bluff, with pedestrian access to the beach available from the inland portions of Centerville Road north and south of the site (the County determined this alternative infeasible at this time).

Therefore, the structure does not qualify for the shoreline armoring "override" available when Coastal Act section 30235 tests are met, and because such armoring is inconsistent with section 30253 (and other coastal resource protection policies), the project cannot be

found consistent with the Coastal Act, which directs denial. However, there are no feasible alternatives that would achieve the objectives of the project without violating any Chapter 3 policies, and project denial would lead to loss of public recreational access, which would also be inconsistent with Coastal Act provisions that affirmatively require protection of public access, protection of a lower cost recreational facility, and protection of oceanfront land suitable for recreational use. In addition to providing access to the County beach park, Centerville Road also is the only means of access to the 463-acre federally managed Lost Coast Headlands about a mile south of the site, which is part of the California Coastal National Monument system. Lost Coast Headlands includes parking areas, restrooms, informational kiosks, and trails providing seasonal beach access and opportunities for hiking, bird watching, wildflower viewing, and beachcombing.

As denial of the project would also be inconsistent with the Coastal Act, staff recommend approving the project for a limited term of 20 years through the Coastal Act's conflict resolution procedures. The project would provide safe public access to the coast along this highly scenic portion of Centerville Road until the longer-term realignment plan for the road is feasible to achieve. This safe public access with improved off-street parking over the next 20 years is a resource enhancement over the road being closed due to being damaged from wave overwash events and risks to public safety, and, in turn, hundreds of acres of coastal recreational access areas being inaccessible to the public.

To mitigate for the armoring impacts (which correspond to adverse effects on local shoreline sand supply, beach recreational area, and public access), the County would be required to (among other recommended requirements): (1) install public recreational access amenities as part of the immediate project construction, including additional amenities as feasible (e.g., benches, picnic tables, overlook areas, bicycle racks, waste and recycling receptacles, etc.), which would lead to on-the-ground improvements in the near term, (2) develop a comprehensive Public Access Management Plan that provides for gates and barriers to prevent motorized vehicular access while providing for beach wheelchair and pedestrian access (which not only will protect resources along the southern Eel River spit but also will maximize public access for all users, including beach wheelchair users) and (3) submit, within five years of permit approval, an Adaptation Planning Study as an initial step to adapt Centerville Road and the Centerville Beach County Park access facilities to long-term sea level rise and coastal hazards, including an engineering study of realignment and retreat options, outreach and engagement with property owners, the federal land managers of Lost Coast Headlands, and tribal governments, and identification of funding sources to support further studies and ultimately the development of final plans for a long-term adaptation project.

Thus, staff recommend that the Commission approve a CDP for the proposed project that can address coastal resource issues in a manner that is as protective of natural shorelines and natural shoreline processes as is possible with an armoring project like this and that is consistent with the objective of maximizing and enhancing public recreational access in this area. Staff, therefore, believe the recommendation is, on balance, most protective of significant coastal resources, consistent with section 30007.5 of the Coastal Act. The motion to approve the CDP with conditions is found on page 6 below.

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EXHIBITS

[Exhibit 1 – Location Map](#)

[Exhibit 2 – Project Plans](#)

[Exhibit 3 – Letter from Public Works dated January 20, 2026](#)

[Exhibit 4 – Potential Realignment Alternatives for Centerville Road](#)

[Exhibit 5 – ESHA Map & ESHA Mitigation Area](#)

[Exhibit 6 – Excerpt from Biological Opinion of Plover Conservation Measures](#)

1. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, **approve** a coastal development permit for the proposed development. To implement this recommendation, staff recommends a **yes** vote on the following motion. Passage of this motion will result in approval of the CDP as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Motion: *I move that the Commission **approve** Coastal Development Permit Number 1-24-1028 pursuant to the staff recommendation, and I recommend a **YES** vote.*

Resolution to Approve CDP: *The Commission hereby **approves** Coastal Development Permit Number 1-24-1028 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with 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.*

2. 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.

3. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Revised Final Plans.** AT LEAST SIXTY (60) DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit Revised Final Plans to the Executive Director for review and written approval. The Plans shall be prepared by a licensed professional or professionals (i.e., civil engineer, surveyor, etc.) and shall be substantially in conformance with the 95% proposed plans (titled "County of Humboldt Department of Public Works Project Plans for Construction of Storm Damage Repairs Centerville Road PM 4.62 Project No. ER-32LO(232) Contract No. 217447" dated 10/9/24) except that plans shall be modified as necessary to meet the following requirements. An itemized list of revisions from the 95% plans and their conformity with the requirements herein shall accompany submittal of the revised final plan set.
 - a. **Redesigned Narrowed Access Ramp.** The access ramp shall be redesigned to be narrowed to the maximum extent feasible based on updated engineering work (estimated ~12 feet) to minimize encroachment of revetment on the beach while accommodating emergency and maintenance vehicles only and optimizing public access utility for passive uses only (e.g., pedestrians, beach wheelchairs; no motorized vehicles).
 - b. **Measures to Prevent Motorized Beach Access.** Plans shall include revisions necessary to prevent motorized vehicular access to the beach while accommodating beach wheelchairs through both (i) any necessary revisions to the access ramp and barrier gate size, type, position, orientation, and/or mechanisms to ensure prevention of motorized vehicular access to the beach while maintaining safe access for beach wheelchair use, and (ii) placement of additional guard rail, boulders, bollards, and/or similar barriers along roadway, ramp, and parking lot consistent with subsection 1-c of this Special Condition and with appropriate standards for beach wheelchair accessibility.
 - c. **Measures to Minimize Visual Impacts.** All publicly visible authorized development shall be sited, designed, sized, colored, screened, and/or camouflaged to maximize coastal view protection and minimize visual intrusion, including through use of materials appropriate to the shoreline context that blend with the natural environment and existing improvements in the area to the maximum extent feasible. Lighting shall be prohibited in the project area.
 - d. **Removal of Existing Structures.** Plan notes and details shall identify the required removal of existing non-natural structures and materials on and along the roadway and County park lands (many placed without the benefit of a CDP), including, but not limited to, the historic landmark cross, defunct utility poles, k-rails on the sand (including those that have become buried by sand), fencing, existing (no longer needed) roadside signs, sand berms constructed from past maintenance activities, and debris pile remains (e.g., remnants of the destroyed agricultural structure adjacent to the road at the north end of the project area).
 - e. **Final Signage Plans.** All signs and any other project elements that will be used to facilitate, manage, and provide public access to and through the approved project, shall be clearly identified, including identification of all public access, park, and parking management that will be provided on the site. Sign details showing the location, materials, design, and text of all such signs shall be provided to the Executive Directory for review and approval prior to installation. All signs shall be planned, sited, and designed to: (i) minimize their visibility in public views; (ii) blend

with and be subordinate to the natural setting as much as possible (including minimizing the number of signs, using natural materials and earth tone colors as feasible, etc.); and (iii) maximize passive public recreational access to the beach, including, but not limited to, by maintaining where feasible existing roadside pullout parking and by minimizing overnight parking restrictions.

- f. **Additional Public Access Amenities.** The final plans shall include plans for additional public access amenities, which shall include amenities such as, as feasible, benches or seating areas, picnic tables, portable toilet, overlook areas, bicycle racks, waste and recycling receptacles, doggie mitt stations, informational signage, interpretive signage, any complementary amenities needed for the safety of beach wheelchair access, etc. All such enhancements shall be sited and designed within the approved project footprint in a manner that best integrates into the natural setting and maximizes public view protection, including through use of siting/design approaches and materials that are appropriate to the beach shoreline context, and including to ensure that the approved development effectively blends into and enhances the natural environment, all to the maximum extent feasible. All such enhancements shall also be maintained in their approved state for public use (including through ongoing repair, maintenance, or relocation (if necessary to respond to shoreline erosion) for at least as long as any portion of the development approved under this CDP remains present.
- g. **Revetment/Rock Coverage.** The plans shall provide for placing native beach sand atop the revetment/rocks seaward of the road to create a soil “cap” and revegetating the cap pursuant to the revegetation requirements below with the objective of blending the revetment/rocks seaward of the road to the maximum extent feasible to make the area appear more natural.
- h. **Revegetation.** Non-native and invasive plant species in the project area shall be removed and not be allowed to persist to the greatest extent feasible. All revegetation areas shall be initially landscaped with native plant species consistent with vegetated habitats in the vicinity and with consideration that such areas appropriately blend into the natural landform and vegetation aesthetic of the surrounding area, all to the maximum extent feasible. Regular monitoring and provisions for remedial action (such as invasives removal as necessary and replanting as feasible) shall be identified to ensure revegetation success is maintained over time.
- i. **Construction Plan.** The approved Construction Plan (see Special Condition 2) shall be provided as notes and/or plan sheets on the Revised Final Plans.

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

- 2. **Construction Plan.** AT LEAST TWO (2) WEEKS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit a 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. The Plan shall identify areas to be flagged for avoidance to protect environmentally and culturally sensitive habitats adjacent to the construction area.

- b. **Construction Timing.** The Plan shall include a complete construction schedule, where work shall avoid to the extent feasible (i) work on weekends and holidays in the peak summer months, and (ii) wet weather work, unless, due to extenuating circumstances, the Executive Director authorizes such work as having no significant impacts to public access.
- c. **Construction BMPs.** The Plan shall identify the type and location of all construction best management practices (BMPs) that will be implemented during construction to protect coastal resources, including at a minimum all of the following:
 - i. **Runoff Protection.** Silt fences, straw wattles, and equivalent measures shall be installed at the perimeter of construction areas to prevent construction-related runoff and/or sediment from discharging from the construction area, and/or entering storm drains or otherwise offsite and/or towards the beach and/or ocean. 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.
 - ii. **Plastic Netting Prohibition.** To minimize wildlife entanglement and plastic debris pollution, the use of temporary rolled erosion and sediment control products with plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers used in fiber rolls, erosion control blankets, and mulch control netting) is prohibited. Any erosion-control associated netting shall be made of natural fibers and constructed in a loose-weave design with movable joints between the horizontal and vertical twines.
 - iii. **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.
 - iv. **Equipment.** Equipment shall use biodiesel and vegetable based hydraulic oil to the extent feasible. Equipment inspection, maintenance, washing, refueling, and/or servicing shall take place at an appropriate hard surface area (e.g., a road) at least 50 feet inland from the beach where collection of materials associated with such activities 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.
 - v. **Spill Prevention and Cleanup Measures.** Fuels, lubricants, and solvents shall not be allowed to enter coastal waters or environmentally sensitive habitat areas. Hazardous materials management equipment, including oil containment booms and absorbent pads, shall be immediately available at the project site,

and a registered first-response, professional hazardous materials clean-up/remediation service shall be locally available on call.

- vi. **Intertidal Grading Prohibited.** Grading of intertidal areas is prohibited, except where expressly approved by this CDP or where approved development is sited in such areas, and only when tidal waters are not present.
- vii. **Construction Materials/Equipment Storage.** All construction materials and equipment shall be stored in existing disturbed and developed areas, except for necessary erosion and sediment controls and/or construction area temporary boundary fencing 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.
- d. **Western Snowy Plover Protection.** All “conservation measures” for western snowy plover protection listed in the U.S. Fish and Wildlife Service Biological Opinion ([Exhibit 6](#)) shall be listed in the final plan and shall be implemented, including, but not limited to, pre-construction environmental awareness training, predator deterrence measures, daily pre-activity plover surveys and monitoring, active nest protection and monitoring measures, and restrictions on construction access and staging.
- e. **Archaeological/Tribal Cultural Resource Protection.** All archaeological/tribal cultural resource protection requirements identified in Special Condition 13 shall be identified as “Required Cultural Resource Protection Measures.”
- f. **Restoration of Areas Temporarily Impacted by Construction.** All construction debris shall be removed, and all areas impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. See also requirements of Special Condition 11 regarding restoration of ESHA areas temporarily impacted by construction (shown on [Exhibit 5](#)).
- g. **Validation of Temporary ESHA Impacts.** The permittee shall document pre- and post-construction conditions with photographs of the site including, at a minimum, photos of the mapped dune mat (“ESHA No. 1”), coastal brambles (“ESHA Nos. 2 and 4”), and willow (“ESHA No. 7”). If unanticipated impacts to these ESHAs or other ESHAs occur or the site is otherwise not restored to pre-project conditions within one year from the commencement of construction, as determined by the Executive Director based on the submitted photographs and on the ground conditions, the permittee shall apply for an amendment to this CDP to address any changes to the authorized development and restore and/or mitigate for the unanticipated impacts as needed as determined by the Executive Director.
- h. **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 shall be made 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 Specifications.** The construction specifications, materials, and contracts shall include appropriate penalty provisions that require remediation for any work done inconsistent with the terms and conditions of this CDP.

- j. **Notification.** The Permittee shall notify planning staff of the Coastal Commission's North 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 Construction Plan shall be enforceable components of this CDP. The Permittee shall undertake development in conformance with this condition and the approved final Construction Plan.

3. **As-Built Plans.** WITHIN NINETY (90) DAYS AFTER COMPLETION OF CONSTRUCTION, the Permittee shall submit As-Built Plans to the Executive Director for review and written approval showing all elements of the approved development as built, including in relation to all property lines, right-of-way line, and adjacent development. The As-Built Plans shall be substantially consistent with the Executive Director-approved Revised Final Plans required by Special Condition 1 and the terms and conditions of this CDP, and any inconsistencies shall be highlighted. The As-Built Plans shall include color photographs (in both color hard copy 8½ x 11 and digital jpg formats) that clearly show the as-built project and that are accompanied by a site plan that notes the location of each photographic viewpoint and the date and time of each photograph. At a minimum, the photographs shall be from upcoast, seaward, inland, and downcoast viewpoints on the beach, and from a sufficient number of other viewpoints so as to provide complete photographic coverage of the approved development. Such photographs shall be at a scale that allows comparisons to be made with the naked eye between photographs taken in different years and from the same vantage points; recordation of GPS coordinates would be desirable for this purpose. The As-Built Plans shall include vertical and horizontal reference data from inland surveyed benchmarks (which shall be clearly identified) for use in future monitoring efforts. The As-Built Plans shall be submitted with certification by a licensed civil engineer with experience in coastal structures and processes, acceptable to the Executive Director, verifying that the project has been constructed in conformance with the Executive Director-approved Final Plans (see Special Condition 1) and the terms and conditions of this CDP.

4. **Limited Authorization Period.**

- a. This permit authorizes the proposed development for a twenty (20) year period following permit approval (until September 9, 2046). Throughout the duration of the CDP authorization period, all public recreational access areas and features shall remain in good condition and available for public use, and the Permittee shall remain in compliance with all terms and conditions of the CDP.
- b. By acceptance of this permit, the Permittee acknowledges and agrees that the project authorized pursuant to this permit is thus interim and temporary and is permitted for the time frame identified in order to provide a reasonable period of time for the Permittee to develop a long-term adaptation plan for this segment of Centerville Road and the Centerville Beach County Park parking facilities to ensure minimization of risk to the roadway and parking facilities, and maximum protection of coastal resources in the long term.
- c. At least one year prior to the expiration of the authorization period (i.e., by September 9, 2045), the Permittee or its successors shall submit to the Commission

a complete application for a coastal development permit amendment to relocate or remove the authorized development and restore the affected areas to natural conditions. The required CDP amendment application shall conform to the Commission's permit filing regulations at the time and shall at a minimum include a removal and demolition plan, restoration plan, and timeline for implementation of removal/restoration as well as realignment/adaptation of road and parking facilities as determined by the Planning Study and any related long-term adaptation plan project developed through Special Condition 5. The Commission may consider an up-to-five-year extension request of the development authorized by this CDP pursuant to subsection (d) of this Special Condition in conjunction with the CDP amendment application.

- d. If the permittee proposes to retain any portion of the authorized development beyond the initial twenty (20) year authorization period in this permit as described in subsection (a) of this Special Condition, then the permittee may submit one request for an up-to-five-year extension to the authorization (until September 9, 2051), no later than one year prior to the termination of the initial twenty (20) year authorization period (i.e., by September 9, 2045) in conjunction with the application proposing removal of the authorized development required by subsection (c). The permittee shall include in the extension request an updated adaptation plan consistent with Special Condition 5 for the segment of Centerville Road and the Centerville Beach County Park parking and access facilities that are the subject of this CDP authorization to ensure minimization of risk of the roadway and parking facilities in the long term and to evaluate alternatives to the authorized development that reduce impacts to sand supply, public access and recreation, or any other relevant coastal resources at the site. The application for the extension request shall demonstrate that meaningful progress is being made to identify a non-armoring long-term alternative and shall also include mitigation for the effects of any remaining portion of the shoreline protective device on sand supply, public access and recreation, or any other relevant coastal resources during the expected life of the remaining authorized development beyond, but not including, the initial period of authorization. Timely submittal of such a complete application shall stay the September 9, 2046 expiration until the application is heard and decided upon by the Commission. The Executive Director may authorize an extension of the above deadlines and/or may authorize an additional extension request for good cause.

- 5. Planning for Long-Term Adaptation of Centerville Road and Centerville Beach County Park Access Facilities.** WITHIN FIVE (5) YEARS OF APPROVAL OF THIS COASTAL DEVELOPMENT PERMIT (by September 9, 2031), or such additional time as the Executive Director may grant for good cause, the Permittee shall submit a final Adaptation Planning Study for the Executive Director's review and approval. The final Adaptation Planning Study will serve as an initial step to adapt Centerville Road and the Centerville County Beach Park access facilities to long-term sea level rise and coastal hazards. The Adaptation Planning Study shall evaluate the impacts of coastal hazards on public access at Centerville Beach, including potential changes to access points, facilities, ownership, and management, considering sea level rise. The Adaptation Planning Study shall identify a suite of adaptation strategies that can be implemented in the future to provide for maximum public beach access while relocating road and parking facilities threatened by coastal hazards. The final Adaptation Planning Study

shall include, at a minimum, the following:

- a. An engineering study that uses the current best available science on sea level rise to identify realignment and retreat alternatives for Centerville Road and public parking and access facilities that considers anticipated (future) coastal hazards through at least 2100 and avoidance of shoreline armoring in project concept designs;
- b. A summary of initial feedback obtained through outreach and engagement with, at a minimum, (i) property owners and residents along affected portions of Centerville Road any other affected local roads, (ii) federal land managers of Lost Coast Headlands, and (iii) tribal governments and representatives, including, but not limited to, Bear River Band of the Rohnerville Rancheria;
- c. An initial assessment of biological and cultural resources potentially affected by retreat/realignment options;
- d. Identification of further monitoring, studies, and plans needed to inform a more defined, long-term adaptation strategy for the subject site. Plans and studies shall include, but not be limited to, a public access plan that will provide for public access facilities as part of the long-term adaptation project, including, as feasible, parking access, viewing area(s), coastal access trail(s), signage, and other amenities;
- e. Recommendations and plans for additional community, stakeholder, and tribal engagement during the planning and implementation of the long-term adaptation project after the final Adaptation Plan is complete;
- f. A preliminary schedule of actions and milestones needed to successfully achieve the development and implementation of a long-term adaptation plan to safely adapt Centerville Road and Centerville Beach County Park access facilities by the estimated time period that adverse impacts to current road and access facilities will become significant (i.e., by 2050) and to achieve compliance with the requirements of Special Condition 4-c;
- g. Identification of funding sources to support further studies and ultimately the development of final plans and permit applications for a long-term adaptation project for Centerville Road and Centerville Beach County Park access facilities; and
- h. The applicant shall recommend measures that demonstrate accountability (e.g., coordinating regular meetings with relevant agencies, proactively applying for funding, briefing the Commission periodically on status of compliance) to the schedule in item (f) above to ensure a long-term project can be implemented no later than the end of the authorization period(s) specified in Special Condition 4 above.

6. Monitoring and Reporting of Revetment Performance & Unauthorized Vehicular Access.

- a. **Purpose.** The Permittee shall ensure that the location, condition, and performance of the approved development is regularly monitored and maintained. Such monitoring evaluation shall at a minimum address the following: (i) whether any significant damage has occurred that would adversely impact future performance and identify any structural or other damage or wear and tear requiring repair to maintain the approved development in a structurally sound manner and in its approved and/or required state; (ii) recommendations for reburial of exposed rock revetment as feasible with native beach sand consistent with Special Condition 1-g;

and (iii) whether any damage, vandalism, or other issues have occurred that would allow for motorized vehicular beach access and provide recommendations for repairs or additional measures to be taken to prevent such access.

- b. **Monitoring Reports.** Monitoring reports shall be submitted to the Executive Director for review at five-year intervals (notwithstanding the additional reporting requirements of subsection (d) of this Special Condition) by June 1st of each fifth year (with the first report due June 1, 2032, and subsequent reports due June 1, 2037, June 1, 2042, and so on) for as long as any portion of the approved development exists at this location. The reports shall identify the existing configuration and condition of approved development, shall provide photographs from all the same vantage points and subject to the same criteria as the as-built plans (see Special Condition 3), and shall recommend actions necessary to maintain all project elements in their approved and/or required state consistent with the terms and conditions of this CDP.
 - c. **Timing of Recommended Maintenance Actions.** Any proposed actions necessary to maintain the approved development in a structurally sound manner and its approved state shall be implemented within 30 days of Executive Director approval, unless a different time frame for implementation is identified by the Executive Director.
 - d. **Additional Reporting Requirements.** In addition to the every-five-year monitoring reporting requirement, separate and additional monitoring reports shall be submitted for the following: (i) *Major Hazards Event Reporting:* Reports shall be submitted by June 1st of the year after either of the following occur (1) A 20-year or larger storm event, or (2) an earthquake of magnitude 5.5 or greater with an epicenter in Humboldt County; and (ii) *Unauthorized Motorized Vehicle Access Reporting:* Annual monitoring reports shall be submitted by December 31st identifying any damage, vandalism, or other issues that would allow for unauthorized motorized vehicular access and providing recommendations for repairs or additional measures to be taken to prevent unauthorized access.
7. **Future Maintenance/Repair.** This coastal development permit authorizes future maintenance-oriented development associated with the approved development as described in this special condition. The Permittee acknowledges and agrees on behalf of itself and all successors and assigns that it is the Permittee's responsibility to: (1) maintain the approved development in a structurally sound manner, visually/ecologically compatible with the beach and bluff shoreline surroundings (including periodic sand covering of exposed revetment consistent with Special Condition 1-g), and in its approved and required states consistent with the terms and conditions of this CDP; (2) retrieve any failing portions of the approved development that might otherwise substantially impair the use, aesthetic qualities, or environmental integrity of the public recreational areas, including the beach and ocean areas, and restore affected areas to as good or better conditions as existed before such failures; and (3) monitor the approved development and take actions to ensure CDP compliance as described in Special Condition 6, including as directed by the Executive Director through the required five-year monitoring reports.

For maintenance-oriented development associated with non-armoring components of

the approved development, 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; (2) be consistent with the Humboldt County LCP; and (3) 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.

For maintenance-oriented development associated with the armoring components of the approved development, this CDP authorizes future maintenance and repair development subject to the following:

- a. **Maintenance/Repair.** “Maintenance” and “repair” as understood in this portion of this special condition means development that would otherwise require a CDP, with the purpose to maintain and/or repair the approved armoring development in its approved and/or required state pursuant to the terms and conditions of this CDP.
- b. **Other Agency Approvals.** The Permittee acknowledges that these armoring maintenance and repair stipulations do not obviate the need to obtain permits and/or authorizations from other agencies for any future maintenance or repair.
- c. **Maintenance/Repair Notification.** At least two weeks prior to commencing any armoring maintenance and/or repair activity, the Permittee shall notify, in writing, planning staff of the Coastal Commission’s North Coast District Office. The notification shall include: (i) a detailed description of the maintenance/repair proposed; (ii) any plans, engineering, geology, or other reports describing the event; (iii) a construction plan that clearly describes construction areas and methods, and that is consistent with the parameters of Special Condition 2 above; (iv) other agency authorizations; and (v) any other supporting documentation describing the armoring maintenance/repair event. Armoring maintenance/repair shall not commence until the Permittee has been informed by planning staff of the Coastal Commission’s North Coast District Office that the armoring maintenance proposed complies with this CDP. If the Permittee has not been given a verbal response or sent a written response within 30 days of the notification being received in the North Coast District Office, the armoring maintenance shall be authorized as if planning staff affirmatively indicated that the armoring maintenance/repair complies with this CDP. The notification shall clearly indicate that armoring maintenance/repair is proposed pursuant to this CDP, and that the lack of a response to the notification within 30 days constitutes approval of it as specified in this CDP. If the notification does not clearly and explicitly indicate same, then the automatic authorization provision does not apply. In the event of an emergency requiring immediate armoring maintenance, the notification of such emergency shall be made as soon as possible, and shall (in addition to the foregoing information) clearly describe the nature of the emergency.
- d. **Restoration.** The Permittee shall restore all beach and other public access areas impacted by construction activities to their pre-construction condition or better within three days of completion of construction. Any beach sand impacted shall be filtered as necessary to remove all construction debris from the beach. The Permittee shall notify planning staff of the Coastal Commission’s North Coast District Office upon completion of restoration activities to allow for a site visit to verify that all project and beach-area restoration activities are complete. If planning staff should identify

additional reasonable measures necessary to restore project and/or beach areas, such measures shall be implemented as quickly as feasible.

- e. **Noncompliance Provision.** If the Permittee is not in compliance with permitting requirements of the Coastal Act, including the terms and conditions of any Coastal Commission CDPs or other coastal authorizations that apply to the subject property, at the time that an armoring maintenance/repair event is proposed, then such armoring maintenance/repair that might otherwise be allowed by the terms of this future maintenance/repair condition may be disallowed by the Executive Director until the Permittee is in full compliance with the permitting requirements of the Coastal Act, including all terms and conditions of any outstanding CDPs and other coastal authorizations that apply to the subject properties.
- f. **Emergency.** Notwithstanding the emergency notifications set forth in subsection (c) of this special condition, nothing in this condition shall affect the emergency authority provided by Coastal Act section 30611, Coastal Act section 30624, and Subchapter 4 of Chapter 5 of Title 14, Division 5.5, of the California Code of Regulations (Permits for Approval of Emergency Work).
- g. **Duration of Covered Maintenance/Repair.** Future maintenance of the authorized armoring under this CDP is allowed subject to the above terms until the armoring authorization expires (see Special Condition 4), unless the Executive Director determines that circumstances have changed in such a way as to require a separate new coastal development permit (or CDP amendment) review.

The Permittee shall maintain the approved development in its approved and required state, and consistent with the terms and conditions of the coastal development permit.

- 8. **Future Permitting.** Any and all future proposed development related to this project, this project area, and/or this coastal development permit (CDP) shall be subject to the Coastal Commission's continuing CDP jurisdiction. In addition to the parameters of Special Condition 7 (which shall control when more specific), this CDP authorizes limited future repair, maintenance, and/or improvement development that is determined by the Executive Director to: (a) fall within the overall scope and intent of this CDP; (b) be consistent with the Humboldt County LCP; and (c) not have any significant adverse impacts to coastal resources. Any development related to this project and/or this CDP 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.
- 9. **Coastal Hazard Risks.** By acceptance of this coastal development permit, the Permittee acknowledges and agrees on behalf of itself and all successors and assigns, that:
 - a. **Coastal Hazards.** The approved development is and may be subject to future coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, tidal scour, wave overtopping, coastal flooding, landslides, bluff and geologic instability, bluff retreat, liquefaction and their interaction, all of which are likely to be exacerbated by sea level rise.
 - b. **Assume Risks.** (i) All risks to the Permittee and to the property that is the subject of this CDP are assumed by the Permittee, including any injury and/or damage from

coastal hazards in connection with this permitted development; (ii) any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage are unconditionally waived; (iii) the Commission, its officers, agents, and employees are indemnified and held harmless by the Permittee with respect to the approval and/or issuance of this CDP, the interpretation and/or enforcement of CDP terms and conditions, or any other matter related to this CDP, 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; and (iii) all responsibility for any adverse effects to people and/or property caused by the approved development is assumed by the Permittee.

- c. **CDP Intent.** The intent of this CDP is to allow for the approved project to be constructed and used consistent with the terms and conditions of this CDP for only as long as the approved development remains safe for use and access without additional substantive measures beyond ordinary repair or maintenance to protect the development from coastal hazards.
- d. **No Future Armoring.** Other than the shoreline armoring authorized by this CDP, no additional shoreline armoring (including but not limited to seawalls, revetments, retaining walls, gabion baskets, tie backs, piers, groins, caissons/grade beam systems, etc.) shall be constructed to protect the development approved pursuant to Coastal Development Permit No. 1-24-1028, including, but not limited to, the subject roadway segment and new parking area and affiliated sidewalk, ramp, gate, drainage infrastructure, guardrail / barriers, and signage, in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, liquefaction, bluff retreat, landslides, or other coastal hazards in the future, and as may be exacerbated by sea level rise. By acceptance of this permit, the Permittee hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under applicable law.
- e. **Public Trust.** This CDP does not allow encroachment onto public trust lands, and any future encroachment must be removed unless the Coastal Commission determines that the encroachment is legally permissible pursuant to the Coastal Act and authorizes it to remain. Any future encroachment would also be subject to the State Lands Commission's (or other designated trustee agency's) leasing and/or other approval.

10. Final Public Access Management Plan. AT LEAST 60 DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit a comprehensive Public Access Management Plan for Centerville Beach County Park to the Executive Director for review and written approval. The Plan shall clearly describe the manner in which public recreational access in the project area is to be provided and managed, with the objective of maximizing public access and recreational use of all public access areas and improvements / amenities associated with the approved project as described in this special condition and Special Condition 1. All public access improvements/ amenities shall be sited and designed to integrate into the natural dune/beach setting and to maximize public view protection, including through use of siting/ design approaches and materials that are appropriate to the dune and beach shoreline context, and including to ensure that the approved development effectively blends into and

enhances the natural environment, all to the maximum extent feasible. All public access improvements/ amenities are required to be maintained and managed pursuant to the Plan over time. The Plan shall at a minimum include and provide for the preceding and all of the following:

- a. **Public Access Use Parameters.** All parameters for use of the public access areas, improvements, and amenities shall be clearly identified. All such public access areas, improvements, and amenities shall be publicly available and maintained in their approved state for general public pedestrian and other general public access consistent with the terms and conditions of this CDP for at least as long as any portion of the approved development remains present.
- b. **Public Access Management and Use.** All public access areas, improvements, and amenities shall be available to the general public 24 hours a day free of charge. Only passive recreational uses and no motorized vehicle use shall be allowed. No vehicular access use of the beach access ramp or beach shall be allowed except for County emergency and maintenance purposes.
- c. **Signage, Barriers, and Gates.** The plan shall include the design, materials, locations, and content of all interpretive, informational, and wayfinding signage, as well as that of proposed barriers and gates. All components shall be visually compatible with the surrounding area and shall not significantly obstruct views from public viewing areas.
- d. **Public Access Construction.** All public access areas, improvements, and amenities associated with the approved project shall be constructed and available for public use as soon as feasible, and no later than 6 months following completion of the armoring structure.
- e. **Public Access Areas and Amenities Maintained.** All of the public access areas, improvements, and amenities shall be constructed in a structurally sound manner and maintained in their approved state consistent with the terms and conditions of this CDP, including through ongoing repair, maintenance, or relocation (if necessary to respond to shoreline erosion) of all public access improvements. Any modification, movement, or replacement of such access improvements shall require Executive Director approval. Public use areas shall be maintained consistent with the approved Public Access Management Plan and in a manner that maximizes public use and enjoyment.

All requirements above and all requirements of the approved Public Access Management Plan shall be enforceable components of this CDP. The Permittee shall undertake development, maintenance and management of all such public access areas, improvements, and amenities in accordance with this condition and the approved Public Access Management Plan.

- 11. Final ESHA Mitigation and Monitoring Plan.** AT LEAST 60 DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit, for the review and written approval of the Executive Director, verification of the updated permanent and temporary ESHA impact acreages associated with the final project plans pursuant to Special Condition 1 and a final ESHA Mitigation and Monitoring Plan for the project's permanent ESHA impacts. The final ESHA Mitigation and Monitoring Plan shall supplement the ESHA mitigation concept provided in a letter from GHD dated June 25,

2025, which proposes to backfill the armoring structure with native sand and install native plants along its upper portion (preliminarily estimated around 10,000 square feet in size), with additional creation and/or substantial restoration areas within the project area or vicinity necessary to achieve a minimum mitigation area ratio of 3:1 (mitigation area size to ESHA impact area size) for each ESHA habitat type impacted (in this case dune mat, coastal bramble habitat, and Hooker willow patch) or 6:1 for enhancement mitigation (e.g., invasives removal). Offsite mitigation may also be considered if sufficient mitigation is not possible within the vicinity of the project site. The final Plan shall meet the following requirements.

- a. **Goals/Objectives/Design.** The Plan shall (1) describe the goals, objectives, interim and final performance standards for each of the mitigation areas, including, as appropriate, changes to site topography, hydrology, and vegetation types, (2) specify site design and construction methods, including plant palette, consistent with identified goals and objectives, and (3) include provisions for annual monitoring of and reporting on each mitigation area for a minimum period of five years, to evaluate progress in relation to the final performance standards, and to identify adaptive management measures that may be needed, should monitoring results indicate corrective actions are needed. Performance standards shall have a clear empirical basis (i.e. reference sites and/or published technical literature appropriate for the local area) and at a minimum, shall include targets for native species composition, cover, structure, diversity, and the presence of major structure-producing species per habitat type. Invasive species shall be maintained at less than 5% cover with no more than 1% of that being attributed to species ranked as highly invasive by Cal-IPC. Mitigation vegetation shall be limited to local native genetic stock (i.e., within coastal Humboldt County). Quantitative monitoring methods and statistical assessment methods shall be specified along with their basis for selection. No pesticides or permanent irrigation shall be allowed.
- b. **Monitoring and Reporting.** A field sampling program shall be designed in conjunction with the success criteria and selected methods of assessment, and relate logically to these, providing sufficient detail for an independent scientist to implement it. Annual monitoring reports shall be submitted to the Executive Director by January 31st following each monitoring year, beginning the first year after completion of the ESHA mitigation activities. The first annual monitoring report shall include documentation showing the completion of mitigation construction, including figures showing the as-built conditions and elevations, and photographs. Annual monitoring reports shall indicate progress towards mitigation success relative to the approved final performance standards and shall include any recommendations to further facilitate such progress. Once an annual monitoring report is approved by the Executive Director, recommendations identified in the report shall become prescriptive (and enforceable components of this CDP) unless otherwise advised in writing. If the final monitoring report indicates that ESHA mitigation has been unsuccessful, in part or in whole, based on the approved goals, objectives and performance standards set forth in the approved final Plan, the Permittee shall submit a revised or supplemental plan to address those portions of the original plan that did not meet the approved goals, objectives and performance standards. The revised or supplemental plan shall be processed as an amendment to this permit, unless the Executive Director determines no amendment is legally required.

- c. **Implementation.** The final approved ESHA Mitigation and Monitoring Plan shall be implemented concurrent with construction of the remainder of the proposed project. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission approved amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.

12. Future Coastal Resource Impact Mitigation. This coastal development permit (CDP) accounts for mitigation of coastal resource impacts due to project armoring for the first twenty (20) years from the date of the approval (i.e., until September 9, 2046). If the Permittee intends to keep the authorized development in place after September 9, 2046, then the Permittee must submit a complete CDP amendment application prior to that time that analyzes the continued need for armoring, the feasibility of less coastal resource impactful alternatives, and any necessary and/or desired project modifications. If the information in the CDP amendment application demonstrates that the coastal resource mitigations applied/required under this approval will not sufficiently mitigate for the adverse coastal resource impacts associated with the retention of the armoring beyond the preceding 20-year period, additional mitigation may be required. Similarly, if the Permittee applies for a separate CDP or an amendment to this CDP to modify the armoring, or to perform repair work affecting 50 percent or more of the armoring within the current 20-year mitigation period, the Permittee shall be required to provide additional commensurate mitigation for the impacts of the enlarged or redeveloped armoring on public views, public recreational access, shoreline processes, environmentally sensitive habitat area (ESHA), and all other affected coastal resources that have not already been mitigated through this CDP.

13. Archaeological and 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 THIRTY (30) DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall (i) notify in writing, email, and/or phone calls, as necessary, the representatives of Native American Tribes listed on an updated Native American Heritage Commission (NAHC) contact list; (ii) invite tribal representatives to be present and to monitor ground-disturbing activities; and (iii) arrange for any invited tribal representative that requests to monitor and/or a qualified archaeological monitor to be present to observe project activities with the potential to impact archaeological and/or tribal cultural resources. Evidence of written notification shall be made available to the Executive Director upon request.
- b. **Discovery Protocol.** If an area of archeological and/or tribal cultural resources is discovered during the course of the project, project activities with the potential to impact such resources shall cease and shall not recommence except as provided in subsection (d) hereof, and the permittee shall retain a qualified archeological and/or tribal cultural resource specialist to analyze the significance of the find in consultation with Native American Tribes listed on an updated Native American Heritage Commission (NAHC) contact list. An "exclusion zone" where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area that includes a reasonable buffer zone recommended by the monitor(s). Project activities may continue outside of the exclusion zone.

Significance testing may be carried out only if acceptable to the affected Native American Tribe(s), in accordance with a Significance Testing Plan.

- c. **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 Native American monitor shall notify the county coroner within 24 hours of such discovery, and all construction activities shall be temporarily halted until the remains can be identified. An “exclusion zone” may be established around the discovery area. Project activities may continue outside of the exclusion zone. If the county coroner determines that the human remains are those of a Native American, the permittee shall ensure that the NAHC is contacted 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 landowner/ permittee shall comply with the requirements of Section 5097.98 and work with the MLD person(s) to preserve the remains in place, move the remains elsewhere onsite, relinquish the remains to the descendants for treatment, or determine other culturally appropriate treatment. Within five (5) calendar days of notification to NAHC, the permittee/ landowner shall notify the Coastal Commission’s Executive Director of the discovery of human remains and identify any changes to the proposed development or mitigation measures that may be needed related to the inadvertent discovery. The Executive Director shall maintain confidentiality regarding the presence of human remains on the project site. The Executive Director shall determine whether the identified changes are de minimis in nature and scope.
- d. **Recommencing Construction After Discovery.** A Permittee seeking to recommence construction within an exclusion zone following discovery of tribal cultural and/or archaeological resources shall submit a Supplementary Archaeological Plan (SAP) prepared by an archaeologist in consultation with the Native American Tribes listed on the NAHC list. The SAP shall be submitted for the review and written approval of the Executive Director. If the Executive Director approves the SAP and determines that the SAP’s recommended changes to the proposed development or mitigation measures are de minimis in nature and scope, construction may recommence after this determination is made by the Executive Director in writing. If the Executive Director approves the SAP but determines that the changes therein are not de minimis, construction may not recommence until after an amendment to this permit is approved by the Commission.

14. Other Authorizations. PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Permittee shall provide to the Executive Director evidence of other required authorizations, or alternatively evidence that no such authorizations are needed, for the development authorized by this CDP from the North Coast Regional Water Quality Control Board, California Department of Fish and Wildlife, U.S. Fish & Wildlife Service, etc. The Permittee shall inform the Executive Director of any changes to the project required by such entities, where such changes shall not be incorporated into the project until the Permittee obtains a Commission-approved amendment to this CDP, unless the Executive Director determines that an amendment is not legally required.

15. Minor Changes. 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 in terms of changes to identified requirements in each condition, 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 if such changes: (i) are deemed reasonable and necessary; and (ii) do not adversely impact coastal resources.

16. 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.

4. FINDINGS AND DECLARATIONS

A. Project Description & Purpose

The Humboldt County Public Works Department (applicant) is pursuing the rehabilitation of an approximately 900-foot-long segment of Centerville Road (post mile 4.62) and beach access improvements at Centerville Beach and County Park. The project site is located directly on and adjacent to the beach five miles west of the City of Ferndale in unincorporated Humboldt County ([Exhibit 1](#)). Centerville Road is a narrow two-lane County road with no shoulders extending westward from inland Ferndale out to the coast at the project site, then winding southward, climbing a steep coastal bluff before dead-ending amidst agricultural ranch lands and coastal recreational lands a few miles south of the project site. Centerville Road at the project site is sited directly seaward and at the base of a steep coastal bluff and is the only portion of the ~10-mile-long road that directly fronts the ocean and sandy beach. The County's 2-acre beach park is located at this site.

The proximity to the coast and low-lying elevation of the project site renders it susceptible to episodic flooding from wave run-up and overtopping during periods of high waves and tides. The project site has experienced repeated storm damage during the winter months over the past several years. Storm surge events wash sand and debris onto and over the road, damaging the roadway and preventing vehicle passage until the road is cleared. The County has been maintaining the road as needed over the years using heavy equipment to remove sand and debris, piling the material on the beach adjacent to the road.

In 2017, after a significant event resulting in a declared disaster in Humboldt County, the County pursued and was awarded emergency repair funding from the Federal Highway

Administration (FHWA) resulting in the project proposed under this CDP application. The project involves repairs of storm damage with added protective features to make the facilities more resilient while a permanent inland relocation of this road segment and County park facilities can be planned and implemented. Initially, the County actively pursued the option of realigning the road to an inland location rather than improving it in place as proposed, including identification of potential road alignments and design concepts for inland retreat alternatives that would provide for safety from hazards through 2100. However, private landowners were unwilling to provide right-of-way at the time due to concerns regarding safety, trespassing, vandalism, dumping, and other issues. As a result, the County proceeded with the studies and engineering work necessary for repairs to the facilities at the existing locations, which are in a hazardous area subject to wave overwash events.

To raise the infrastructure above wave uprush levels, the project proposes to vertically elevate the roadway in its existing alignment on up-to 10-feet of fill and construct a formal beach access parking area off the roadway on approximately one-acre of existing sandy beach (including the construction footprint associated revetment) all within the County beach park boundaries and right of way. The project design would be built to withstand a 25-year hydrologic event. Project earthwork would involve ~13,629 cubic yards (cy) of excavation, balanced onsite, and import of ~1,344 cy of borrow material and ~1,322 cy of road base, totaling approximately 15,000 cy of embankment fill across a ~1.5-acre area. No material would be hauled offsite, and equipment staging and stockpiling would occur within the roadway, with one lane kept open during construction for vehicle passage.

Approximately 7,500 cubic yards of rock revetment would be installed along the length of the project area (~900 feet) at varying widths and heights. The construction of the revetment would require beach excavation to properly set the filter fabric and rock to the established lines and grades. Excavated native beach sediments (sandy material) would be placed on top of the buried rock. The revetment would include slopes of 1.5H:1V and 2H:1V. At the parking area, the revetment would have an approximate crest height of +24 ft NAVD-88 to minimize overtopping of the structure through year 2050.

Public access improvements incorporated into the project include an approximately 220-foot-long parking area (33 feet wide) with 13 stalls—one ADA-compliant and one trailer-size—backed by an 8-foot-wide sidewalk, totaling 9,020 square feet (0.21 acre). As the road and parking area will be elevated 10 feet above the beach, the project also includes a 90-foot-long, 14-foot-wide access ramp (~1,260 square feet), proposed to be shared by pedestrians and vehicles, including off-road vehicles for recreational purposes, to access the beach area. The total public access amenity area is approximately 10,280 square feet (0.24-acre). A gate would be installed to limit beach access by vehicles to daytime hours only, maintained by the County and other operational management under the guidance of the Humboldt County Parks Department. Existing access at this County park is currently open to motorized vehicular use, including street licensed 4-wheel drive vehicles, all-terrain vehicles, and motorcycles.

Additional project features include removal of the existing K-rails and cross and installing of a 16-foot-wide galvanized steel gate with removable bollards on the ramp allowing unencumbered pedestrian access.

Three new drainage culverts would be installed under the reconstructed segment of Centerville Road, which currently has no drainage features. Currently, water sheets over the roadway and inundates the road shoulder and adjacent topographic depression. The profile grade of the culvert was designed to minimize outlet velocities and scour potential. The culverts are proposed in the plans to facilitate stormwater drainage within a natural pathway and prevent concentration of water in ditches to minimize maintenance. The culverts are proposed to the south, north, and northeast portions of the project. The northern culvert would be located under the center of parking area and would drain the inboard ditch west toward the beach through the rock revetment. The northeastern culvert (eastern terminus of the project area) and would drain the inboard ditch northeast toward the opposite side of the road through the rock revetment. The southern culvert would be located at the southernmost extent of the parking area at the south opening of the ramp and would drain the inboard ditch to the beach through the rock revetment. All three culverts would have a diameter of 24-inches.

Project construction would include the following activities:

- 1) Clearing and grubbing – To clear roadside vegetation and brush from Centerville Road shoulders.
- 2) Grading – Throughout the Project Area.
- 3) Excavation – Throughout the Project Area to remove the existing road base and pavement and to prepare the beach for RSP placement.
- 4) Paving - Along the roadway, parking area, beach access, and sidewalk.
- 5) Installation of the gate – To allow management of beach access.
- 6) Installation of rock revetment –hailed to the site via dump trucks and placed via excavators; and
- 7) Hauling – Transport of existing road base, pavement, and other excess materials off-site; transport of imported material to the Project Area (e.g., necessary for gains in roadway elevation, pavement, and RSP).

Equipment required for construction would include tracked excavators, backhoes, graders, bulldozers, dump trucks, water trucks, skid steers, and pick-up trucks. It is not anticipated that any temporary utility extensions, such as electric power or water, would be required for construction. Project plans are attached as [Exhibit 2](#).

B. Environmental Setting

Throughout its length Centerville Road is a narrow, two-lane, County road originating in Ferndale 5 miles east of the project site and dead-ending about 5 miles south of the project site. Centerville Road is located at the southern end of the Eel River delta² at the base of a

² The Eel River drains 3,600 square miles from its headwaters in southeastern Mendocino County to its mouth, approximately 5 miles upcoast from the subject site. The delta comprises the estuary and former estuary areas (now mostly pasturelands) between the base of Table Bluff north of the river mouth and the base of the Wildcat Hills south of the river mouth and east to approximately Fernbridge (~7.5 miles upriver from the mouth) and includes

small mountain range known as the Wildcat Hills.

The project involves improvements to portions of Centerville Road and Centerville Beach County Park, two public facilities managed by the County of Humboldt. Much of Centerville Road is inland from the coast and not ocean-fronting, but two coastal access recreational areas that Centerville Road provides access to are Centerville Beach County Park and, about a mile south of the County park, the 463-acre federally managed Lost Coast Headlands, which is part of the California Coastal National Monument system. The road also provides access at its southwestern end to approximately eight to ten agricultural ranch properties in private ownership developed with residences and other agricultural structures. The project site is the only portion of Centerville Road that directly fronts a beach and the ocean.

Centerville Beach County Park is a small 2-acre beach park dating back to the 1940s that provides free beach access with no other public amenities. Historically, there was a beach parking lot for up to 100 vehicles off the roadway, but today, virtually no off-street parking remains due to significant erosion and narrowing of the beach in this area over the decades – particularly during winter months. North and south of the County beach property the beaches and dunes continue, but these beach and dune areas are mostly in private ownership (connected to larger agricultural pasturelands that extend eastwards across the Eel River delta). The public has a long history of recreating this entire coastal sand spit south of the Eel River as “Centerville Beach.”

The only access to the County beach park is via Centerville Road. This portion of Centerville Road includes a paved roadbed with no shoulders on either side of the road, and the road is sited seaward of a steep coastal bluff. The public wishing to access the beach must park along the edge of the road, parallel to and immediately adjacent to the road, on top of sand, as there is no improved parking area remaining in this location (any past parking improvements have either eroded or been buried by sand). Thus, the County park is currently severely compromised due to erosion, sand build-up, and safety concerns with the current practice of people parking along the edge of the roadway for beach access where sight distance is poor due to the curvature of the road at this location. Additionally, the current parking capacity is far less than historical conditions. Nevertheless, Centerville Beach is a highly valued and popular beach, particularly with residents of the Eel River Valley, residents of and visitors to Ferndale, and citizens of the Bear River Band of the Rohnerville Rancheria 10 miles to the east.

C. Standard of Review

The proposed project includes proposed development that is partially located within the delegated CDP jurisdiction of Humboldt County and partially located within the Commission’s retained CDP jurisdiction. In cases like this where a proposed project requires CDPs from both a local government and the Commission, Coastal Act Section 30601.3 allows for the Commission to process a single ‘consolidated’ CDP application for the proposed development if (a) the applicant, the local government, and the Commission’s Executive Director agree to such consolidation, and (b) public participation is not

sloughs, marshes and other tidal wetlands, Sitka spruce forests, and coastal dune strands.

substantially impaired by such consolidation.

The applicant (County Public Works), the local government (Humboldt County Planning and Building Director), and the Commission's Executive Director have all agreed to consolidate the CDP application with the Commission. In addition, the Commission will hold a properly noticed public hearing on this proposed CDP application, which will include options for both in-person and virtual participation. As a result, public participation has not been substantially impaired by consolidation in this case. The standard of review for a consolidated CDP application is Chapter 3 of the Coastal Act, with certified LCP provisions providing non-binding guidance.

D. Other Agency Approvals

The applicant contacted other appropriate agencies for review of the proposed project to determine whether separate agency approvals or actions are necessary. In this case, the project requires an encroachment permit from Humboldt County Public Works, which would be issued following approval of the CDP. The U.S. Fish & Wildlife Service was consulted due to proximity of the project site to known habitat for federally listed species. The Service provided a Biological Opinion addressing Western Snowy Plover, and an incidental take permit was issued (see ESHA findings, below). A Reinitiation Notice was also provided confirming that consultation remains valid. On August 29, 2025, correspondence from State Lands Commission (SLC) was received confirming that the project is outside of the SLC's jurisdiction and does not require a lease for encroachment. The project involves no stream crossings or filling of wetlands, and therefore no permits are required from California Department of Fish and Wildlife (CDFW) or the North Coast Regional Water Quality Control Board (NCRWQCB). Regardless, **Special Condition 14** is imposed to require submittal of all final approvals prior to commencement of construction or evidence that no further approvals are required.

E. Coastal Hazards

Applicable Coastal Act Policies

The Coastal Act generally limits construction of shoreline protection to very specific circumstances outlined in section 30235 of the Coastal Act. Coastal Act section 30253, however, provides, in part, that all new development shall not contribute significantly to erosion, geologic instability, or destruction of the site, or in any way require construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The Coastal Act provides for these limitations because protective devices that substantially alter natural land forms along bluffs and cliffs, like shoreline armoring structures, have a variety of negative impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beaches.

Coastal Act section 30253 states in applicable part (emphasis added):

New development shall do all of the following:

Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs...

Coastal Act section 30235 states in applicable part:

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...

Furthermore, Coastal Act section 30270 requires:

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.

Recognizing the inevitability of ever-increasing impacts from armoring in an era of sea level rise underlines the importance of limiting the circumstances under which armoring can be approved.

Consistency Analysis

The subject site is on and along a sandy beach directly below a steep coastal bluff. The project proposes to address a section of low-lying road vulnerable to wave overtopping through the construction of a new roadway segment and associated off-street parking elevated on fill as well as a beach access ramp along the seaward face of the armored fill pad directly fronting the coastal bluff. The proposed structure will be armored along a length of 880 feet on its seaward side with rock revetment. The purpose of elevating the structure is to prevent flooding of the roadway from wave overtopping until approximately 2050, as explained in the Basis of Design report prepared for the project. Because the fill pad used to elevate the new road section will be exposed to direct wave attack, especially during the winter months, the armoring is proposed to prevent undermining and assure stability and structural integrity.

The applicable questions here under Coastal Act section 30235 are: (1) whether there is an existing structure and/or a coastal-dependent use; (2) if the existing structure and/or coastal-dependent use is in danger from erosion; (3) whether shoreline-altering construction is *required* to protect an existing endangered structure and/or to serve a coastal-dependent use (i.e., is the shoreline armoring the only feasible alternative); and (4) whether the required protection is designed to eliminate or mitigate its adverse impacts on shoreline sand supply and beach recreational area. The first three criteria relate to whether the proposed armoring is allowed and necessary while the fourth criterion applies to mitigating some of the impacts from the proposed armoring if it is allowed and necessary.

1. Existing Structure/Coastal Dependent Use

As mentioned above, the Coastal Act allows armoring under certain very limited circumstances: generally only for structures that existed when the Coastal Act was adopted and when such structures are in danger from erosion (section 30235). The Coastal Act prohibits armoring for new development constructed after adoption of the Act (section 30253). The only types of structures that qualify as “existing structures” allowed to be armored under section 30235 are those that existed before January 1, 1977 and which have not been redeveloped since. Thus, the first section 30235 test is whether a structure for which a shoreline protective device is proposed is considered “existing” and/or whether a structure is a coastal dependent use.

In this case, while Centerville Road was originally constructed prior to 1977, the plans propose to redevelop this stretch of roadway by demolishing or abandoning the existing road section and constructing new road section elevated in places by up to 10 feet above current grade as well as adding new paved parking areas on what is currently sandy beach, thereby creating a new structure not entitled to protection under section 30235. As such, the new County road structure proposed to be built at this location does not constitute an existing structure as understood under section 30235.³

As to whether the proposed development is a coastal-dependent use entitled to protection, the Coastal Act defines such development to be a use that “requires a site on, or adjacent to, the sea to be able to function at all” (section 30101). Roads do not require a site on or adjacent to the sea to be able to function at all, including as evidenced by the fact that such infrastructure exists in a variety of other places throughout the region and state, and Centerville Road itself in some places is relatively far inland from the coast. That said, the proposed project includes an element of what may be considered a coastal-dependent function, which is beach access parking and an access ramp that will provide direct access to Centerville Beach. Based on the size of the project (length of armoring), about a third of it is to protect a reconstructed public beach parking area, and two-thirds of it is related to protection of the new road segment (not including the road protection inland of the beach parking area). Vehicle use is the primary mode of transportation that beach users take to come and go from Centerville Beach, as the beach is in a rural area not currently served by public transit (buses), and Centerville Road leading to the site from the City of Ferndale five miles to the east is a narrow two-lane road that lacks bicycle lanes and sidewalks. On the other hand, a beach-access parking area generally does not need to be sited directly on or adjacent to the sea to be able to function at all, as evidenced by the many beach parking areas in the County and elsewhere along the coast not located on or directly adjacent to the sea and connected to beaches by vertical access trails. Indeed, the County’s alternatives analysis for this project considers an alternative involving relocation of beach parking (as well as retreat of roadway) inland, stating in part (in reference to two “retreat” alternatives – [Exhibit 4](#)) (**emphasis added**):

“Move roadway to bluff. This alternative moves the roadway back onto the bluff, utilizing the higher elevation of the bluff to mitigate flooding and erosion of the roadway. The bluff would eventually retreat, but this alternative mitigates erosion

³ For similar interpretations in recent past Commission actions, see CDPs 2-21-0912 (SFPUC Ocean Beach Armoring) and 3-24-0747 (Caltrans Mud Creek Landslide).

and flooding until at least 2100. **Parking for beach access would be located on the bluff**, but the beach could continue to be accessed by car via the northern section of the road behind the bluff. This utilizes the bluff as a buffer so that the beach access road could be utilized by vehicles for a longer period of time. The southern grade down to the beach would be decommissioned and the asphalt removed....

...

"Inland parking with trail to beach": This alternative would decommission and remove the section of road that accesses Centerville Beach Park at the top of the grade on the southern side, and after the bend on the northern side. Both roads could terminate in a parking area. **The beach could be accessed from the north or south terminal of Centerville Road** with DG trails to the beach. This alternative would change the current use of the beach and the beach accessibility..."

While the Commission has at times considered coastal trails to be coastal dependent for purposes of armoring, it has also found that such elements can also be relocated out of harm's way and provide similar functions without armoring. Here, while the proposed project will provide for beach access parking for the public, most of the armoring is related to a non-coastal-dependent transportation corridor purpose, and there are alternatives (though not necessarily feasible to implement at this time) that would allow the coastal access parking to be sited further away from the coast and still function (see alternatives sited above and discussed further below). Therefore, the Commission finds the proposed elevated transportation corridor with associated beach access parking is not a coastal-dependent use in this case.

This project therefore fails the first "existing structure or coastal dependent use" test for shoreline armoring to be approved under section 30235. As a result, the armoring proposed does not qualify to use the section 30235 "override", and because, as discussed below, it will result in coastal resource impacts that are inconsistent with other Coastal Act provisions, the Coastal Act directs denial of the proposed project.

Although the project is not eligible for approval based on its failure to meet the first part of section 30235, in this case the project can still be approved through the Coastal Act's conflict resolution procedures, where protecting the reconstructed road and associated off-street parking via the armoring proposed, along with some required project changes to limit impacts and mitigate for those that are unavoidable, would be, on balance, more protective of significant coastal resources than would denying the CDP (see the "Conflict Resolution" section later in this report). Therefore, consideration of the other factors is still of merit.

2. Danger from Erosion

Although this project fails the first "existing structure or coastal dependent use" test, the second test of section 30235 relates to whether the subject structure/use is in danger from erosion. The Coastal Act does not define the phrase "in danger." There is a certain amount of risk involved in maintaining any development along the actively eroding California coastline that also can be directly subject to violent storms, wave attack, flooding,

earthquakes, and other hazards, including at the subject location. These risks can be exacerbated by such factors as sea level rise and localized geography that can focus storm energy at particular stretches of coastline. In a sense, all development along the immediate California coastline is in a certain amount of “danger.” It is a matter of the degree of threat that distinguishes between danger that represents an ordinary and acceptable risk, and danger that requires shoreline armoring per section 30235. Lacking a Coastal Act definition, the Commission has in the past evaluated the immediacy of any threat in order to make a determination as to whether an existing structure is “in danger” for the purposes of section 30235 considerations. While each case is evaluated based upon its own particular set of facts, the Commission has previously interpreted “in danger” to mean that an existing structure would be unsafe to use or otherwise occupy within the next two or three storm season cycles (generally, the next few years) if nothing were to be done (i.e., the “no project” alternative).⁴

According to information submitted with the application, including, but not limited to, the Basis of Design memo (GHD June 4, 2020) and additional information submitted through January 2026 in response to application non-filing letters ([Exhibit 3](#)), under current conditions, the location and elevation of the project area renders it susceptible to episodic flooding from wave runup and overtopping during periods of high waves and tides. For example, the Basis of Design memo describes large-scale wave events causing flooding of Centerville Road at the subject site that occurred on January 17, 2019 and December 17, 2018, and the memo compared these coastal conditions to the calculated return intervals for extreme waves and still water levels. The memo determined that the 1/17/19 event represents a slightly-greater-than-1-year return period event and the 12/17/18 event was a less-than-1-year return period event. Anecdotally, the County states that events of these magnitudes currently occur about every other year. In terms of background erosion, technical studies provided identify a maximum documented long-term erosion of -1.3 ft/yr (along the south side of the Eel River mouth) and short-term erosion of -8.9 ft/yr (at the North Spit Beach located 0.8 km north of the Humboldt Bay Jetty). The regional average long-term retreat rate is estimated at -2.3 ft/year.⁵ Additionally, the technical information notes that Centerville Beach experiences wide seasonal changes resulting in ~100 feet of beach width loss from summer to winter. The Basis of Design memo estimates a summer beach width of 131.6 feet in 2020. Depending on which estimate of erosion rates is used (-4.4 ft or up to -9.5 ft/yr), and assuming a 100-foot beach width change from summer to winter, the subject roadway is projected to be at a very high risk of being damaged each winter by as early as 2030. This assumes a constant rate of erosion and excludes the effects of sea level rise and increased storminess, which accelerate erosion rates year to year as well as the variability in beach change.⁶ Satellite derived beach widths near the

⁴ See, for example, CDPs 3-07-019 (Pleasure Point seawall), 3-09-025 (Pebble Beach Co. Beach Club seawall), 3-09-042 (O’Neill seawall), 2-10-039 (Land’s End seawall), 3-14-0488 (Iceplant LLC seawall), 2-17-0702 (Sharp Park Golf Course), 3-18-0720 (Candau armoring), 3-20-0166 (Wavefarer Partners LLC armoring), 3-22-0440 (Casanova armoring), and 3-22-1027 (Hofmann seawall), among others.

⁵ Based on the USGS 2007 National Assessment of Shoreline Change, Part 4: Historical Coastal Cliff Retreat along the California Coast. This analysis uses transects and historical imagery to measure retreat rates.

⁶ Factoring in local relative sea level rise projections (Ocean Protection Council 2024; CCC 2024), the region is projected to undergo 0.6-0.7 feet of SLR (intermediate-high scenario to high scenario) by 2030, 1-1.1 feet by 2040, 1.4-1.6 feet by 2050, and 2-2.4 feet by 2060.

site from CoastSat⁷ suggest the rate the shoreline is retreating at this beach is accelerating with the trend of the past five years exceeding 14.5 ft/yr, leading the Commission's Coastal Engineer, Jeremy Smith, to conclude that the road is at severe risk of being destroyed by a combination of chronic retreat and storm-driven erosion within the next five years. The Basis of Design Report further estimates that the summer beach width will erode back to the existing roadway by 2050, meaning the roadway at that time will always be exposed to wave action.

In addition to the near-term erosion threat to the roadway described above, the applicant notes that the County's park facility already has undergone significant levels of erosion and facility loss. In fact, the beach has narrowed so significantly over the past 80 years that the facility's large beach parking lot and the dune system that existed at the site in the 1940's have completely disappeared.⁸ As noted in the Eel River Area Plan, which is the certified LUP for the area that was certified by the Commission in 1982, Centerville Beach County Park at that time had the capacity to accommodate 100 vehicles. Today, there is no remaining parking area other than directly along and parallel to the edge of the roadway (for approximately 10 vehicles) on top of sand and where sight distance is poor due to the curvature of the road.

Therefore, the Commission finds that although the proposed project does not meet the first test of section 30235 and is thus ineligible to make use of the policy override for that reason alone, the project does meet the second "in danger from erosion" test of section 30235.

3. Alternatives to Shoreline Armoring

The third section 30235 test that a project must meet is that the proposed armoring must be "required" to protect existing endangered structures or to serve the coastal-dependent use. In other words, section 30235 is structured that the third test is met if shoreline armoring is the only feasible alternative capable of protecting the existing endangered structures or serving the coastal-dependent uses. Coastal Act section 30108 defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." The Commission has in the past conceptualized this section 30235 evaluation as a search for the least environmentally damaging feasible alternative that can serve to protect qualifying existing endangered structures or to serve the coastal-dependent uses. Other alternatives typically considered include: the "no project" alternative; relocation of endangered structures/ managed retreat (including abandonment and demolition of threatened structures); living shorelines or alternative project designs; and combinations of each.

The applicant submitted analyses of alternatives both in a response letter dated January 9, 2025, prepared by GHD, to address questions submitted during the course of application review, and in the Basis of Design report prepared by GHD dated June of 2020. Several identified alternatives are discussed below.

⁷ Vos, K., Splinter, K.D., Palomar-Vázquez, J. *et al.* Benchmarking satellite-derived shoreline mapping algorithms. *Commun Earth Environ* 4, 345 (2023). <https://doi.org/10.1038/s43247-023-01001-2>.

⁸ Another factor potentially affecting and contributing to the degradation of the dune system in this area over the decades is regular, ongoing motorized vehicular access of beaches and dunes in the area.

(a) No Project / Ongoing Repair & Maintenance of Existing Roadway

The County has been exercising unauthorized maintenance activities at the Centerville Beach and County Park location for a number of years. These activities have included mechanically clearing the roadway with heavy equipment and pushing the sand in constructed berms beachward of the road on top of the existing sandy beach.⁹ Under the no project alternative there would be continued erosion and burial of the roadway, and seasonal loss of access along this road segment is expected as soon as 2030. Year-round accessibility would be lost by 2050. Parking access to the County beach park and through vehicular access to Lost Coast Headlands would be lost for much of the year, and 8-10 property owners south of the project site would be unable to access their rural homes and properties. In the three months between October of 2025 and January of 2026 alone, the County performed six road-clearing events, which further damages the road. The County determined that under this alternative, the frequency of repairs and maintenance needed coupled with insufficient capacity and resources of the County to perform the level/frequency of repairs makes the alternative infeasible. Additionally, the current parking arrangement immediately adjacent to the road is unsafe due to the curvature of the road at this location and loss of off-street parking, and this unsafe access and parking would become increasingly unsafe for the public as the hazards increase in the near term and long term.

(b) Road Realignment / Retreat Roadway Inland / Alternative Access

As discussed above (“Existing Structure/Coastal Dependent Use”), the County considered alternatives involving realigning the roadway inland and establishing alternative beach access parking and alternative beach access ([Exhibit 4](#)). This alternative moves the roadway back onto the bluff, utilizing the higher elevation of the bluff to mitigate flooding and erosion of the roadway. This alternative would provide road and parking infrastructure safe from erosion until at least 2100. Parking for beach access would be located on the bluff with a trail leading down the bluff to the beach, or beach access could continue from Centerville Road north of the project area east of (behind) the bluff. Under this alternative, the southern portion of Centerville Road south in the project area leading down to the beach would be decommissioned and the asphalt removed. The decommissioning could also convert the road to a graded trail to be used for access until it eventually erodes. According to the County’s analysis, this alternative would have high construction costs compared to other alternatives and would not provide protection to sensitive resources on the bluff. It would however require less maintenance and have a longer design life than the proposed project.

⁹ Coastal Act section 30610(d) allows for certain repair and maintenance activities to be undertaken without a CDP, but 14 CCR sec. 13252 requires a CDP for those repair and maintenance activities involving “extraordinary methods” including activities undertaken in an ESHA, any sand area, within 50 feet of the edge of a coastal bluff or ESHA, or within 20 feet of coastal waters or streams that include “the placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials; [and/or] the presence, whether temporary or permanent, of mechanized equipment or construction materials.” The County’s maintenance activities have involved activities and placement of materials on sandy areas and areas within 50 feet of a coastal bluff using mechanized equipment. Therefore, the maintenance activities undertaken to date have required CDP authorization, there’s no evidence that such authorization was obtained, and thus these activities may constitute violations of the Coastal Act as described further in the “Violations” section below.

Initially, after storm damage to the road and park facilities in 2017, the County actively pursued the alternative of realigning the road to an inland location, including identification of potential road alignments and design concepts. However, this alternative is dependent on the private landowner of the bluff lands being willing to sell or grant an easement or the desire of the County to use its condemnation process to acquire the land needed for the County road and park facilities. The County explained that the landowner was approached multiple times between 2019-2023 but remained unwilling to sell or provide the right-of-way necessary for this alternative (citing concerns about safety, trespassing, vandalism, and illegal dumping). As a result, the County indicates that it needs additional time to pursue all available opportunities to realign this road segment, including potential condemnation processes, and therefore, the County deems this alternative infeasible at this time but plans to continue to pursue it for the future.

(c) Vacation of Roadway

This alternative would decommission and remove the section of road that accesses Centerville Beach County Park at the top of the grade on the southern side, and after the end on the northern side. Both roads could terminate in a parking area. The beach could theoretically be accessed from the north (or south) terminuses of the road with decomposed granite trails to the beach. This alternative is unrealistic, as it is in direct opposition to the County's deed requirements to provide access to Centerville Beach County Park and is the only available road to provide access to properties to the south, including the Lost Coast Headlands and the private property owners with agricultural residences and other structures. Centerville Road dead-ends approximately 4 miles south of the project site, and there would be no conceivable access from the south as there are no other connecting roads anywhere through this remote area to get to Centerville Beach or to the other public and private properties. For these reasons, this alternative was deemed infeasible and not considered.

(d) Living Shoreline / Reconstructed Dunes

The County considered a natural infrastructure alternative involving constructing a dune system seaward of the roadway in an attempt to mitigate episodic wave action and sand deposition onto the roadbed. However, dune sands are mobilized easily by high velocity wave action like that experienced at the site, and it is anticipated that wave action would cause significant damage to any attempted dune system fairly quickly, necessitating significant post-event repairs. Thus, this alternative would likely not be sustainable even in the near term. As discussed above, maintenance activities in the past have attempted to implement a version of this alternative by pushing sand up off the roadway in dune fashion (parallel to the roadway) and placing k-rails to the rear (inland side) of these constructed dunes. K-rail placement also has been used to delineate the public parking area on the sand. However, in addition to its unsustainability, this alternative would be prohibitively costly and infeasible given County resources available relative to the frequency and cost of maintenance needed each year. This alternative also would require regular construction on the beach, disrupting access, disturbing wildlife, and threatening water quality.

(e) Revetment Covered with Sand

This alternative uses the same design as the proposed project but incorporates a layer of

sand to cover the revetment, filling the voids and creating a gentler slope above the crest to form a dune feature. The addition of sand would improve pedestrian access to the beach and reduce the visual impacts of the non-natural rock revetment. It could also potentially increase sandy beach habitat and expand recreational space. The dune feature could be planted or seeded with native dune species at the time of construction. Establishment of vegetation would help anchor the sand and reduce aeolian transport of sand onto the parking lot and road. Sand maintenance would likely be required annually following winter storms to maintain the dune feature throughout the project life. Though extending sand all the way up to the roadway could facilitate motorized vehicular access directly from the road grade to the beach, that issue could be mitigated through placement of barriers such as guardrails, boulders, bollards, etc. (see Special Condition 1b). As discussed further below, this alternative appears feasible, would help mitigate project impacts, and the County has stated its willingness to undertake this alternative (see also Special Condition 1-c and 7).

(f) Smaller Footprint Project / Vertical Height

This alternative is identical to the proposed project but with a smaller footprint. The design would withstand erosion during extreme events and reduce overtopping volumes; however, the crest would be lowered and would permit water to flood onto the roadway during extreme annual events more frequently than the proposed project. More frequent overtopping would require a need for larger roadside drainage to manage larger volumes of water accumulating behind the revetment, which could require cutting into the coastal bluff inland of the road and damaging known sensitive resources in that area. While this alternative is expected to cost less to construct than the proposed project, annual maintenance costs would be higher. This alternative would also not provide the same level of public access benefits as the proposed project. In sum, this alternative is less resilient to hazard risks than the proposed project and provides fewer coastal resource benefits (e.g., public access benefits), and the County determined the costs associated with construction and maintenance relative to the shorter design life could not be justified, as additional investment and resources would be needed for a longer-term solution in as soon as 10 years.

(g) Vertical / Buried Seawall

A buried / vertical seawall could be constructed along the seaward side of the elevated roadway and would result in a lower crest height and overall smaller encroachment footprint than the proposed alternative. Improved drainage from the roadside would be needed to accommodate large volumes of water behind the seawall. Additionally, the roadway elevation under this alternative would be lower than the proposed roadway and thus would need more frequent maintenance. Additionally, this alternative would have a significantly increased cost, likely constructed out of sheet piles with a concrete cap. This alternative would prove much more difficult to remove at the end of its design life than the proposed alternative, and removal activities would also likely be more environmentally damaging (necessitating more ground disturbance and much deeper excavation).

(h) Longer Design Life

The applicant was asked why the near-term planning horizon was selected when considering the life of the project. The near-term planning horizon was selected because,

based on the erosion rates and sea level rise (SLR) scenarios analyzed under the Intermediate SLR projection, the winter beach will disappear, and the summer beach will be much smaller over the next 25 years. As articulated in the applicant's Coastal Hazard Analysis prepared for the project, the selected design allows for the space to be used as long as possible until retreat needs to occur and also gives the County time to plan, design, and implement the retreat alternative. A longer design life would also result in further elevation of the roadway and surrounding revetment, resulting in a larger footprint and the need for the stability of the revetment to be re-evaluated as a result of wave encroachment over time. A larger footprint could also reduce access to the beach by 2050 given wave action and make removal of the structure more difficult as continued wave encroachment becomes unavoidable over time. For these reasons, the longer design life was not considered the least environmentally damaging feasible alternative.

In summary, many alternative designs and configurations were considered, including designing a solution to withstand a larger event (greater than 25 years), but such a design would require a much greater project footprint and significantly more ground disturbing impacts. The project is intended to re-establish a fraction of the historic off-street parking at Centerville Beach County Park (equivalent to the number of roadside spaces available now, under current conditions) and allow for continued use of Centerville Road through the project site while the County pursues the inland retreat and realignment alternative discussed above, which is not feasible at this time.

Conclusion regarding alternatives

As summarized above, Coastal Act section 30235 requires a series of "tests" to be met to determine that armoring may be allowed, even though prohibited under section 30253. As discussed above, the proposed armoring project does not involve an "existing structure" or a "coastal dependent use" for purposes of Coastal Act section 30235 and is not entitled to make use of the section 30235 override for those reasons. That said, while the proposed new elevated road segment is not entitled to armoring, it is in danger from erosion. In this case, the alternative that could address the ramifications of the coastal hazard risk without constructing shoreline armoring and which would also be less environmentally damaging (though would involve conversion of farmland to non-farming uses), namely realigning this segment of Centerville Road inland, which does not appear to be feasible to implement prior to this section of road experiencing significant damage and resulting in loss of public access and impacts to circulation.

At the same time, because the proposed project has significant adverse coastal resource impacts that are inconsistent with other Coastal Act provisions (see below discussion on armoring impacts and subsequent findings related to ESHA), the Coastal Act directs denial of the proposed project. Given the lack of feasible Coastal Act-consistent alternatives to the armoring, however, denial of a project to protect the Centerville Road could lead to damage or destruction of the roadway and the complete loss of beach access both at this location and at the federally managed Lost Coast Headlands two miles south of the site, which would lead to additional adverse public recreational access impacts. In other words, denial would lead to conflicts between meeting the requirements of different Coastal Act policies.

Therefore, the Commission believes it is appropriate to approve a project through the Coastal Act's conflict resolution procedures [i.e., Coastal Act sections 30007.5 and

30200(b)] that allow for resolution of conflicts between a policy or policies of the Coastal Act that warrant denial with a policy or policies that compel approval by taking the action which, on balance, is most protective of significant coastal resources (see “Conflict Resolution” section below for further explanation justifying approval).

4. Armoring Impacts

The fourth test of section 30235 that the project must meet is that the armoring must be designed to eliminate or mitigate adverse impacts to local shoreline sand supply and beach recreational area. Some of the effects of engineered armoring structures on the beach and shoreline (such as scour, end effects, and modification to the beach profile) are temporary or are difficult to distinguish from all the other actions that modify the beach/shoreline. Others are more qualitative (e.g., impacts related to the character of the beach/shoreline and visual quality). However, some of the effects that a shoreline armoring structure may have on natural shoreline processes can be quantified, including: (a) the loss of the beach and shoreline recreational area on which the structure is located (encroachment area impact); (b) the long-term loss of beach and shoreline recreational area that will result when the back-beach location is fixed on an eroding shoreline (passive erosion or “coastal squeeze” impact); and (c) the amount of material that would have been supplied to the beach and shoreline recreational area if the back-beach or bluff were to erode naturally. The first two calculations relate to directly affected underlying and adjacent beach and shoreline use areas, and the third calculation is related to sand supply impacts that can affect that area but also larger sand supply systems, but all three calculations relate to public recreational access to the beach, shoreline, and offshore recreational areas. Each is discussed below.

(a) Encroachment Area Impact

With respect to loss of beach and other shoreline recreational area, shoreline protective devices, such as the armoring proposed in this case, regardless of their configuration are all physical structures that occupy beach/shoreline space that would otherwise be unencumbered. When a shoreline protective device is placed on a beach area, the underlying beach area cannot be used by the public. This generally results in a loss of public access and recreational opportunity as well as a loss of sand and areas from which sand generating materials can be derived. The area where the structure is placed will be altered from the time the protective device is constructed, and the extent or area occupied by the device will remain the same over time, until the structure is removed or moved from its initial location (or in the case of a revetment, as it spreads seaward over time). The beach area located beneath a shoreline protective device, referred to as the encroachment area, is the area of the structure’s footprint.

In this case, the calculated design length of the elevated road and parking structure to be armored with rock revetment is 880 feet, and the encroachment by the revetment as measured from the edge of the road, which the applicant considers to be the back beach, to the seaward limit of the rock, is 60 feet. Thus, the applicant’s calculated encroachment area is 52,800 square feet (1.2 acres). However, the applicant’s encroachment area calculation excludes the existing roadway area that naturally is covered with sand periodically and which the County removes when needed (and without the benefit of a CDP) for road maintenance purposes to maintain roadway passage. The County’s

maintenance consists of removal/scraping of sand from the roadway several times per year (e.g., the County stated that it performed sand removal work six times between approximately October and December of 2025), creating a sand berm parallel to the road that is periodically rebuilt. Additionally, the County has placed (without the benefit of a CDP) k-rail barriers along and around portions of the County park property area both for sand control and vehicle management (k-rails currently are in part buried by sand). Under natural conditions, without removal, over time deposition of sand on the roadway would increase, and the roadway area effectively would become part of the sandy beach. Thus, the Commission finds it appropriate to consider the encroachment area to include those roadway areas that under natural conditions (in the absence of the currently unpermitted maintenance activities) would be buried by sand and which would become part of the sandy beach. The Commission's Coastal Engineer, Jeremy Smith, concurs with this approach. This increases the size of the encroachment area by a half-acre, up to an estimated 74,800 square feet (1.7 acres).

(b) Fixing the Shoreline Position (the "Coastal Squeeze")

On an eroding shoreline, a beach will typically continue to re-create itself between the waterline and the bluff provided there is sufficient sand supply and space to form a beach between the bluff and the ocean. When beaches erode, they can migrate landward as the backshore (e.g., typically a bluff) erodes from increased wave attack, which makes space for the beach to persist even while the shoreline retreats landward. This process stops, however, when the backshore is fronted by a hardened, protective structure such as a revetment or a seawall. It is understood and well documented that where a shoreline is eroding and armoring is installed, the armoring will eventually define the boundary between the sea and the upland. While the shoreline up and downcoast of the armoring continues to retreat and reform new beach areas, shoreline in front of the armoring eventually stops at the armoring's seaward toe. This effect is also known as passive erosion, or "coastal squeeze," and this phenomenon has been described in many past Commission actions related to coastal hazards and armoring. As climate change causes the seas to rise ever faster, beach and recreational shoreline areas will be lost at an increasingly rapid pace. If the inland area cannot also retreat, eventually there will be no available dry beach or shoreline area, and the shoreline will be fixed at the base of the armoring structure. In the case of an eroding shoreline, this represents the loss of a beach and shoreline recreational area as a direct result of the armoring. Specifically, beach areas are diminished as the beach is compressed between the ocean migrating landward and the fixed backshore.

Consistent with past practice, including the Commission's experience that shoreline armoring often needs to be reinforced, augmented, replaced, or substantially changed within a reasonable period of years from its original installation, and to provide for re-review on a regular basis to allow for consideration of possible changes in policy, law, and physical conditions associated with armoring, the Commission typically evaluates such impacts over 20-year periods. This 20-year period is close to the applicant's anticipated design service life of the revetment, which is assumed to be ~25 years (until ~2050). The Basis of Design report estimates that flooding and erosion of the roadway will be mitigated for that period (which, calculated from anticipated 2026 construction would be till 2051) with minimal maintenance required and after which time the structural stability would need to be reevaluated.

The Commission has often used a methodology for calculating the passive erosion impacts of a seawall, or the long-term loss of beach/shoreline area due to “fixing” the back beach. The area of beach lost due to long-term erosion is equal to the long-term average annual erosion rate multiplied by the number of years that the back beach or bluff will be fixed, multiplied by the width of the property that will be protected. The applicant estimated the long-term average annual erosion rate at this location to be 2.3 feet per year, which Commission staff agrees is a reasonable erosion rate estimate to use. Evaluating this erosion rate over a period of 25 years (project design life), the applicant estimated that erosion of the steep coastal bluff inland of this segment of Centerville Road would not occur for 10 years (until approximately 2036), at which point waves will more aggressively and frequently contact and erode the coastal bluff just inland of Centerville Road at this location. At that point, passive erosion is anticipated at a rate of 2,024 square feet per year. In other words, there is not expected to be passive erosion or sand supply impacts from the 880-foot-long armoring structure until approximately 2036, but from 2036 to 2051 (over the 15 remaining years of the project design life), the passive erosion/sand supply impacts of the armoring structure would be 30,360 square feet (~0.7-acre). The Commission’s Coastal Engineer, Jeremy Smith, concurs with this analysis.

Combined with the encroachment area impact, the proposed project, with a 25-year design life (2026-2051), would result in a loss of approximately 105,160 square feet (~2.41 acres) of beach/shoreline area (1.7 acres, or 74,800 square feet, from the armoring footprint and 30,360 square feet associated with passive erosion or sand supply impacts).¹⁰

(c) Loss of Sand Material to the System

Beach sand material comes to the shoreline from inland areas, carried by rivers and streams; from offshore deposits, carried by waves and tidal currents; and from coastal dunes and bluffs feeding sandy beaches and shoreline recreational areas. Bluff retreat/shoreline erosion is one of several ways that sand and sand generating materials are added to the shoreline. Bluff retreat and erosion are natural processes resulting from many different factors such as erosion by wave action causing cave formation, enlargement and eventual collapse; saturation of the bluff soil from groundwater causing the bluff to slough off; and natural bluff deterioration. For coastal dunes, the contribution to the system is typically more direct, with sand becoming part of the shoreline system during and as a result of climatic events, including wind, rain, and storms. When the bluff/shoreline area is armored with a shoreline protective device, the natural exchange of material from the armored area to the beach/shoreline area and offshore sand supply system will be interrupted and, if the armored bluff/shoreline area would have otherwise eroded, there will be a measurable loss of material to the beach/shoreline/offshore sand supply system area as a result.

In this case, sand and sand-generating materials would be added to the beach/ shoreline at these locations, as well as to the larger littoral cell sand supply system fronting the bluff/shoreline, if natural erosion were allowed to continue (i.e., if the armoring was not present). The volume of total material that would have gone into the sand supply system

¹⁰ For a project with a 20-year design life, as is recommended in findings and conditions discussed below, the combined encroachment impact + passive erosion impact would be 95,040 square feet or 2.2 acres (20,240 sf + 74,800 sf).

through 2051 would be the volume of material between (a) the likely future bluff/shoreline configuration with armoring; and (b) the likely future bluff/shoreline configuration without the armoring. A necessary component of the Commission's established methodology for calculating this amount is the percentage of sand in the bluff materials at the site. The applicant estimated, and the Commission's Coastal Engineer, Jeremy Smith, concurs, that the amount of beach-quality sand retained by the proposed armoring would be approximately 9,833 cubic yards through the 25-year project design life period. Similar to passive erosion impact discussed above, this impact wouldn't start until 2036 and would then start accumulating at a rate of 655.53 cubic yards per year (655.53 cubic yards/year x 15 years = 9,833 cy.).

To mitigate for this loss of sand, the Commission has in the past required payment of an in-lieu fee to contribute to ongoing sand replenishment or other appropriate mitigation programs, where such fee is based on the cost of buying and delivering an equivalent volume of beach quality sand to the affected area. For purposes of this analysis, the applicant estimated the cost of purchasing and delivering 6,555 cubic yards of beach quality sand (assuming the development were to remain in place for a 20-year authorization period, through 2046, rather than 25 years – see permit authorization term discussion below) to be roughly \$150 per cubic yard (per recent Caltrans contract cost data). Thus, an in-lieu fee to address this sand retention impact over a 20-year project authorization period would be approximately \$983,250 (i.e., \$150 per cubic yard x 6,555 cubic yards) through 2046.

The Commission notes that the sand reduction anticipated from the project when viewed in the context of regional sand supply is very small. The project site is situated near the southern end of the Eureka Littoral Cell, which extends from Trinidad Head to False Cape. The Eel River, which flows into the Pacific Ocean approximately 5 miles north of the project site, is the dominant source of sand input to the littoral cell. According to information provided by the County (submitted in January 2026, [Exhibit 3](#)), since approximately 1990, there has been a significant deficit in the sand budget within the littoral cell, described (in part) as follows:

...The project site is located where the shoreline transitions from dune-backed (north of the site) to bluff-backed (south of the site)...

...

The shoreline in the vicinity of the County's project site is highly dynamic in response to a multitude of drivers such as the orientation and wave energy of storm events, seismic activity, relative sea level rise, and changes in the sediment budget of the littoral cell. Specific major drivers to the shoreline evolution include: adjustments to land elevation changes from the 1992 Cape Mendocino earthquake; El Niño weather patterns; and changes in the Eureka Littoral Cell sand budget. Over the last 20 to 30 years, the dunes north of the project site have experienced significant erosion and wave overtopping and the bluffs south of the project site have experienced major cliff face and top retreat. The bluffs south of Centerville Beach have one of the highest erosion and retreat rates statewide.¹¹ Bluff erosion south of the project site is associated with active

¹¹ Swirad and Young, 2022. Cliff retreat at Centerville Beach has continued since this paper was published, including a major erosion episode in February 2024 resulting in the closure of the Fleener Creek parking lot and trail in the

mass wasting and landsliding.

Overall, the Eel River is the dominant source of sand input to the Eureka Littoral Cell.¹² From 1966 to 2001, the sand input to the littoral cell from all fluvial loading averaged 3,132,000 cubic meters per year (4.1 million cubic yards per year) and comprised 89.5% of the total input (NHE 2024, Table 17). The Eel River provided approximately 86% of the fluvial sand load during that period. Bluff erosion averaged 66,680 cubic meters per year (87,000 cubic yards per year) and represented 1.9% of the total inputs (NHE 2024, Table 12).

NHE (2024) identified that from 1955 to 1990 there was a period of positive sand residual within the littoral cell during which excess sand was available for inner-shelf storage and shoreline and dune growth. From 1966 to 1990, dredged material from Humboldt Bay was placed within the littoral cell including at two sites located south of the Humboldt Bay entrance. Starting in 1990, the surplus sand residual was significantly reduced, coinciding with the start of placing dredged sand at the Humboldt Open Ocean Disposal Site (HOODS) outside the littoral cell. NHE (2024) identified a major shift in 1999, when the sand budget began having a continual negative residual, representing a sand deficit. The primary factors in this long-term sand deficit are export of sand from Humboldt Bay dredging out of the littoral cell to HOODS, decreased fluvial sand loads, fluvial extraction, and sand loss from relative sea level rise (NHE, 2024, pg. 47). NHE (2024) concluded that the 20-year period of decreased cumulative sand residual beginning in 1999 may be contributing to shoreline erosion and dune recession during this period (NHE, 2024, pg. 49). In 2025, a portion of the sandy material from Humboldt Bay navigation channel maintenance dredging was placed into the nearshore area north of the Humboldt Bay entrance by the U.S. Army Corps of Engineers as a pilot project, in response to concerns about shoreline erosion and the on-going loss of littoral sediment through disposal at HOODS.

...

As noted above, although there has been a significant documented sand deficit within the littoral cell since approximately 1999 due primarily to the U.S. Army Corps of Engineers' export of sand from Humboldt Bay dredging out of the littoral cell to the open ocean offshore disposal site (HOODS), which may have contributed to the shoreline erosion and dune recession in the area, as explained above, the County estimates that the estimated rate of sand reduction from the proposed project represents only 0.02% of the average annual fluvial load and just 1% of the average sand input to the littoral cell for the period from 1966-2001. The County also notes that the actively eroding coastal bluffs just south of the project site are likely a major local source of sand to the shoreline along Centerville Beach in addition to the fluvial loads from the Eel River. Nevertheless, the proposed project would represent a loss of sand supply to the littoral system, and the potential in-lieu fee calculated above reflects a direct cost to replace this loss of sand. The value of rivers such as the Eel in supplying sand to littoral systems can thus be inferred to be considerably

Lost Coast Headlands south of the project site.

¹² Northern Hydrology & Engineering (NHE), 2024. Eureka Littoral Cell Updated Tributary Sand Loads and Sand Budget. Prepared for Friends of the Dunes and California State Coastal Conservancy. April 2024.

higher.

(d) Value of Beach Area Lost

In addition to the sand retention impact described above, shoreline armoring also leads to loss of physical beach area that is taken up by the footprint of the protective device (encroachment) as well as the long-term loss of beach area that would have been created through passive erosion of the bluff if the protective device was not there (fixing the backshore). Sea level rise exacerbates these impacts, as mean sea level affects shoreline erosion in several ways, and an increase in the average sea level will worsen these conditions.

In terms of the beach/shoreline value, the Commission has recognized that in addition to the more qualitative social benefits of beaches and shoreline areas (recreational, ecological, aesthetic, etc.), beaches and shoreline recreational areas provide significant direct and indirect revenues to local economies, the state, and the nation. Most people recognize that the ocean and the coastline of California contribute greatly to the California economy through activities such as tourism, fishing, recreation, and other commercial activities. There is also value in just spending a day at the beach and having wildlife and clean water at that beach and being able to walk along a stretch of beach and shoreline, or simply to see one along a coastal vista. There are also societal benefits of beaches and shoreline areas, including the ways in which they contribute to local community, state social fabric, and cultural identity. However, it can be difficult to put a price tag on these types of benefits, including “existence” values where people are asked how much it is worth to them for a beach to exist, even if they do not visit the beach or seldom visit the beach. Depending on the person, even one beach can be priceless. Thus, these types of shoreline recreational impacts are often difficult to quantify, including in this case.

As such, the Coastal Act requires mitigation for such impacts. The most obvious in-kind mitigation for these impacts would be to create a new roughly 95,040 square-foot (2.2-acre) area of beach/shoreline to replace that which was and will be lost since the time that the armoring is first installed (e.g., 2026) through its authorization period (e.g., through 2046 if permitted for 20 years) with an identical area of beach/ shoreline recreational area near the lost beach/shoreline recreational area. While in concept this would be the most direct mitigation approach, actually finding an area that can be turned into a beach is very difficult in practice. At the same time, the calculations of the affected area do provide an appropriate relative scale for evaluating alternative mitigations. Economic studies, tools, and methods have been developed over time to quantify the value of beaches, and the Commission’s evolving methodologies reflect the development of more comprehensive mitigation measures. For example, in the past, the Commission has looked at several ways to value such beach and shoreline areas to determine appropriate in-lieu mitigation fees, including evaluating the value of the beach/shoreline recreational area in terms of the larger economy¹³ (called the Beach Recreational Value) as well as the real estate value of property acquisition necessary to accommodate an area that could be so created through

¹³ In a market economy, many goods and services are sold through a market, so the market price is generally considered to be an appropriate measure of value. However, economists also recognize that not all goods and services are provided by markets. These are generally referred to as non-market goods; most environmental services are normally considered to be non-market goods.

natural erosion (called the Land Value or Real Estate Method). The Real Estate Method has been seen as preferable in recent Commission decisions for assessing the beach area impacts of armoring, including for public infrastructure,¹⁴ as it represents the cost to replace lost beach by restoring or preserving natural erosional processes nearby. However, in the subject permit, Commission staff used the Beach Recreational Value method rather than the Real Estate Method due to the lack of available data on comparative property values in the immediate area.

The beach recreational value of a beach is often calculated using the following formula:

$$\text{Beach Recreational Value} = \text{Beach Day Use Value} \times \text{Annual Beach Attendance}$$

The beach day use value is an economic concept, developed from an analysis of the actual costs of a beach visit and what individuals (consumers) would be willing to pay for the experience. The annual beach attendance value can be obtained through local surveys or other methods to identify an average number of beach visitors. The Commission can estimate square-footage value for beach access and recreation at specific locales by developing estimates for the cost of beach access per person per year¹⁵ multiplied by number of people expected to visit the subject beach per year divided by the size of the public beach.¹⁶ Considering Centerville Beach County Park is described as 2 acres in size (or 87,120 square feet)¹⁷ and using a recently calculated visitation estimate of 7,500 people per year to the nearby Eel River Estuary Preserve,¹⁸ and using a recreation valuation derived from a value estimated for California beaches,¹⁹ the annual beach recreational

¹⁴ See, for example, CDP 2-21-0912 (Ocean Beach Armoring) and CDP 3-22-0775 (1307 West Cliff Drive).

¹⁵ A number of studies have estimated the non-monetary recreational value of California beaches using a variety of methods (estimating what is the value of a single California beach visit). These non-market values represent the value that day-users place on access to the beach beyond what they pay in terms of travel costs and any parking fees and tolls. An average recommended value that the Commission has considered in past cases for beaches north of San Luis Obispo County is conservatively estimated at \$54.10 (in 2025 dollars), based in part on a study by Pendleton & Kildow (2006), among others. Using this value in tandem with the annual visitation rate (7,500) and the size of the public beach space (2 acres) would result in an estimated annual beach recreational value of approximately \$4.65 per square foot for Centerville Beach. However, this amount may be an overestimate for this beach; see below note describing the use of a more conservative value in this case.

¹⁶ In this case, two values for size of public beach have been considered. First, the size of the Centerville Beach County Park is described as 2 acres in the Eel River Area Plan, Humboldt County General Plan, and other sources. Second, consideration has been given to the additional recreational beach area that has been informally used by the public for decades and which soon will be formally offered (in part) for dedication of a public access easement for passive recreational use pursuant to Special Condition 12 of combined CD-0004-24 / CDP 1-17-0328 approved by the Commission in August of 2025. The property owners of adjacent lands north of the site are in the process of formally offering a public access easement, which if ultimately accepted by the County or another accepting entity, would greatly expand the size of Centerville Beach County Park. The size of this additional easement area is estimated to be an additional 80 acres directly north of the County beach park.

¹⁷ Per the above footnote, the larger public recreational area including the forthcoming public access easement is calculated at ~82.6 acres.

¹⁸ This estimate was provided for the nearby Eel River Estuary Preserve managed by The Wildlands Conservancy in support of its application for the combined federal consistency authorization and CDP approved by the Commission in August of 2025 (CD-0004-24 and CDP 1-17-0328).

¹⁹ This value is estimated to be \$20.14 (which is less than the recommended value of \$54.10 cited above), and using this amount coupled with the annual visitation rate (7,500) and the size of the public beach space (2 acres), the annual beach recreational value per square foot is calculated as \$1.73. This \$20.14 value is based on the lowest

value per square foot for Centerville Beach is calculated as \$1.73. This amount can then be multiplied by beach impact area (74,800 square feet) to assign an annual and cumulative mitigation value for the encroachment of the armoring structure onto the beach area and its associated passive erosion impacts (beginning in 2036 in this case). For a project with a 20-year authorization period (through 2046), the calculated mitigation cost for the beach recreational value cumulatively lost in this case through 2046 equates to approximately \$2.95 million (considering just the 2-acre County beach park area and not considering the entire recreational area north of the beach park provided by the forthcoming 80-acre public access easement (discussed in footnote above), which has not yet been recorded, accepted by a public entity, or officially opened for public use).²⁰

5. Mitigation Required

(a) Approvable Mitigation

As detailed above, though there are different ways to calculate the value associated with the proposed project's sand supply and related beach/shoreline loss impacts through 2046, a conservative estimate calculates the value between \$1.05 million to 3.93 million.²¹ Mitigation for this impact could be accommodated by collecting a mitigation fee in that amount. While requiring such a mitigation fee could commensurately mitigate for these impacts, the Commission has also instead relied upon the provision of in-lieu public recreational access improvements to offset sand supply loss impacts, particularly when a public agency is an applicant for a shoreline armoring project. Such mitigation strategies can allow for bona fide improvements to public recreational access infrastructure and utility so that mitigation benefits can be realized in the near term and in the area of the impacts. In this case, the applicant proposes the following public access improvements as part of the project:

- Thirteen (13) off street parking stalls (including 1 ADA space and 1 trailer-size parking space);
- An 8-ft-wide sidewalk between the seaward edge of the parking area and the beach access ramp;
- A beach access ramp extending from the parking lot to the beach that as proposed would accommodate pedestrians, beach wheelchair users, and

value cited for California beaches in a study by Pendleton & Kildow (2006), adjusted for inflation through December 2025. Using the lowest cited value is conservatively appropriate in this case, since the estimates from that and other studies relied more heavily on case studies from southern California beaches, and no recreation valuation studies have been completed for North Coast beaches.

²⁰ If the larger public access easement area were to be considered in the calculation, the calculated mitigation cost for the beach recreational value cumulatively lost through 2046 would be reduced to approximately \$66,000 considering the \$1.73 annual beach recreational value per square foot estimate (and, for comparison, to \$187,482 considering the \$4.65 estimate typically recommended for California beaches).

²¹ i.e., recreational value calculation + \$983,250. If not just the 2-acre County beach park but the larger public access easement area is considered, the value associated with the proposed project's sand supply and related beach/shoreline loss impacts through 2046 would be reduced to \$1.05 million (i.e., \$66,000 recreational value + \$983,250 cost of sand lost).

vehicles.²²

Combined, these improvements total an estimated 0.25-acre in size, which is a fraction of the size of the direct beach encroachment impact size (at least 1.2 acres), resulting in a net loss of beach due to armoring. Moreover, while the public parking for beach access represents a significant benefit to the public's ability to access and recreate at the beach at this location (as very little off-street parking remains in contrast to historic parking access), the County beach park itself is quite small compared to the larger stretch of beach that's accessible from this location, which extends north to the mouth of Eel River as well as some distance south of the project site. However, along this stretch, beach widths are relatively narrow and, at times, impassable due to tidal and wave action (especially in the winter). Thus, the loss of over an acre of the sandy portion of the already small (2-acre) beach park from direct encroachment by the proposed armoring is significant in terms of both ecological and recreational value.

Therefore, in this case the Commission finds it reasonable to require mitigation for the above-identified armoring impacts in the form of certain project changes and additional public access amenities. Additional amenities such as benches, picnic table(s), overlook areas, bicycle racks, waste and recycling receptacles, doggie mitt stations, informational signage, interpretive signage, etc. (as feasible) are needed not only to provide mitigation commensurate with project impacts but also because the proposed parking and access amenities will serve not only the 2-acre County beach park but also additional beach and dune areas directly north and south of the County park along the 5-mile-long Eel River southern sand spit. Much of these beach and dune lands to the north and south are in private ownership (except for areas below the mean high tide) but portions have been used for decades by the public, though these areas are not formally part of the County park or in public ownership (there is evidence that public prescriptive rights may exist in these areas).²³

Some additional privately owned beach areas north of the County park soon will be officially available for public use pursuant to a requirement attached to combined CD-0004-24 / CDP 1-17-0328 (the Russ Creek and Centerville Slough Restoration Project) approved by the Commission in August of 2025. Special Condition 12 of CD-0004-24 / CDP 1-17-0328 requires the formal offer and dedication of a public access easement for passive public recreational use that extends over 20 acres of beach and wetland areas immediately north of Centerville Beach County Park as well as over an additional 100-foot-wide, ~5-mile-long lateral easement adjacent to the mean high tide line north of the County beach park to the mouth of the Eel River. This future public access easement, which is in process of being formally offered for dedication for public passive recreational use, may ultimately

²² For discussion of the issue of proposed offroad vehicular beach access, see the findings below.

²³ Most of the private beach and dune lands in this area are associated with larger agricultural ownerships (ranch and pasturelands) that extend inland from the coast across the Eel River delta, including lands owned by Russ Ranch and Timber, LLC and The Wildlands Conservancy. The majority of the beach and dune lands along the approximately 5-mile-long sand spit south of the Eel River mouth are in private ownership. It's been widely documented over the decades that public beach users accessing the coast via the County Beach Park often trespass onto private beach and dune areas for passive (e.g., hiking) and motorized vehicular uses. The County's certified LCP (Eel River Area certified in 1982) lists Centerville Beach County Park in its access inventory as adjacent to sandy beaches that stretch "for miles in both directions" with a recommendation that signage and fencing be installed in some areas to protect adjacent agricultural lands from motorized vehicular trespass.

be accepted by the County (or another suitable accepting entity) and added to Centerville Beach County Park, thereby greatly expanding the park boundaries (the size of the additional easement area is estimated to be an additional ~80 acres directly north of the existing 2-acre park). The conditions of CD-0004-24 / CDP 1-17-0328 do not, however, include additional requirements for parking, signage, or other access amenities to be provided along with the dedicated public access easement. However, currently, the easiest way for the public to access that easement area is through Centerville Beach County Park, and the parking and access improvements proposed by the County under CDP 1-24-1028 will enhance the easement access.²⁴

Thus, the Commission attaches **Special Condition 1-f** requiring the County to integrate additional public amenities on revised final plans, and **Special Condition 10** requires submittal of a comprehensive Public Access Management Plan for Centerville Beach County Park to the Executive Director for review and written approval. The Plan shall clearly describe the manner in which public recreational access in the project area is to be provided and managed, with the objective of maximizing public access and recreational use of all public access areas and improvements / amenities associated with the approved project.

In addition to incorporating additional public amenities into revised final plans, the Commission finds that certain management restrictions are needed for the County park related to motorized vehicular access to further maximize and enhance public access for all beach users, including pedestrians and people with beach wheelchairs. As discussed in the Project Description finding, because the project design will elevate the road and parking area 10 feet higher than the beach, the project includes construction of a 90-foot-long, 14-foot-wide access ramp, gated at its landward entrance with a steel tubular gate, to access the beach area. Because existing access at this County beach park is currently open to motorized vehicular use, the plans propose the gate being left default open except when emergency closures may be needed for public safety purposes.

Aside from conflicts with protection of ESHA resources as discussed further in the below findings, the County's proposal to facilitate motorized vehicular use as part of the project directly conflicts with the requirements of the directives of the easement required by CD-0004-24 / CDP 1-17-0328 that the easement allow only passive recreational uses. As the primary and only public road access to the easement area will be via Centerville Beach County Park, the access facilities proposed to be authorized under this CDP must be compatible with and facilitate compliance with the easement restrictions and uses.

Thus, **Special Condition 1-a** requires narrowing the access ramp to the maximum extent feasible (based on updated engineering work) to prevent motorized vehicular access while ensuring the ramp accommodates beach wheelchairs and pedestrians (and emergency vehicle access). **Special Condition 1-b** requires plan revisions necessary to prevent motorized vehicular access to the beach (including, but not limited to, street licensed 4-wheel drive vehicles, all-terrain vehicles, and motorcycles) while maintaining safe access for beach wheelchair and pedestrian use through changes to the ramp and gate as needed

²⁴ Portions of the public access easement may also be accessed by kayaks/small boats crossing Centerville Slough from boating access on The Wildlands Conservancy's Preserve properties and then hiking over the beach and dunes of the Conservancy's properties (Eel River Estuary Preserve and Sounding Seas Dune Preserve).

as well as placement of guard rail, boulders, bollards, and/or similar barriers along the roadway, ramp, and parking lot as needed to restrict motorized vehicular access while maximizing access for passive recreational use. **Special Condition 1-e** further requires that project elements that will be used to facilitate, manage, and provide public access to and through the approved project be planned, sited, and designed to maximize passive public recreational access to the beach by maintaining existing roadside pullout parking south of the project area and by not posting signage that restricts nighttime or overnight parking access or use. And **Special Condition 10**, requiring development of a comprehensive Public Access Management Plan for the County beach park, will ensure that the County clearly identifies all parameters for use of the public access areas, improvements, and amenities, that all such facilities are available to the general public 24 hours a day free of charge, that only passive recreational uses and no motorized vehicular use will be allowed, and that facilities will be maintained in a manner that maximizes passive public uses and enjoyment.

With these added condition requirements, the Commission finds that the proposed project as conditioned provides appropriate mitigation for the armoring impacts discussed above, for several reasons. First, in addition to the proposed and required parking and access amenities described above, as previously described, the beach-fronting segment of Centerville Road will be reconstructed and elevated to prevent undermining. Centerville Road is the primary public access facility at this location, providing both direct coastal access to the 2-acre County Beach Park and providing the only publicly accessible views of the ocean available from public roadways anywhere in the entire southern Eel River delta. Centerville Beach County Park is the nearest beach access area not only for Ferndale (population 1,525) residents and visitors²⁵ but also for residents of two other nearby inland cities – Fortuna (12 miles east of the County park, population 12,400) and Rio Dell (~17 miles southeast of the County park, population 3,371)²⁶ – as well as for citizens of the Bear River Band of the Rohnerville Rancheria (a federally recognized tribe with its Rancheria lands located ~10 miles northeast of the County park) and additional unincorporated urban and rural lands in the central County region.

Second, as previously discussed, although Centerville Beach County Park historically had parking capacity for approximately 100 vehicles (including that much capacity in 1982 when the Eel River Area Plan was certified), today there is virtually no parking remaining (historic parking areas have eroded or been consumed/buried by sand). The project area is the only portion of Centerville Road that directly fronts a beach in this region, as the road leading up to the beach from Ferndale runs perpendicular to and inland from the coast, and Centerville Road directly south of the project site rises in elevation to the top of Centerville Bluffs, which, due to their steepness and erosivity, afford no beach access. Currently, public beach visitors must park at least partially on top of sand off the edge of Centerville Road in the project area, and due to the curvature of the road at this location, the current parking arrangement is unsafe and requires maintenance for the existing spaces to remain open and functional as a result of overwash events (meaning that not all spaces could remain available and that parking availability could remain variable seasonally). Given the safety

²⁵ Ferndale is a popular visitor destination point because of its unique historic character (see for example <https://www.visitferndale.com/victorian-village>). The City boundary directly borders the coastal zone to its north, east, and west.

²⁶ 2023 data from the three cities is according to <https://datausa.io/>.

and seasonal nature of parking availability, the current conditions remain inadequate in terms of capacity relative to the size of the public recreation area available at this location (including the forthcoming 80-acre public recreational easement area discussed above).

Third, in addition to providing access to the County beach park, Centerville Road also is the only means of access to another coastal recreational access area located about a mile south of the County beach park – the 463-acre federally managed Lost Coast Headlands, which is part of the California Coastal National Monument system. Lost Coast Headlands includes three visitor serving recreational areas – a former naval base property known as Centerville Bluffs East that was decommissioned in the mid-1990s and which now hosts a public parking area, restroom, and kiosk with area information (this facility is used by visitors to the Centerville Beach County Park, as it is less than a mile south of the County park), Fleener Creek Trail, and Guthrie Creek Trail. The two trails provide seasonal beach access and include grasslands with scattered patches of forest and riparian habitats associated with the Fleener Creek and Guthrie Creek watersheds. The area offers opportunities for hiking, bird watching, wildflower viewing, and beachcombing.²⁷

Without this segment of roadway functioning safely, these important coastal recreational areas would not be accessible to the public in the near future due to damage of the road from erosion and worsening beach loss. Accessing any portion of the coast south of Centerville and south of Lost Coast Headlands requires a 50-minute driving detour inland through Ferndale and south along Mattole Road over the hills to beaches along the coastline south of Cape Mendocino. In addition to providing the means to directly access free public beaches at this stretch of the coast, this segment of Centerville Road itself is a lower cost visitor and recreational facility for those who wish to drive and sight-see for pleasure along this highly scenic coastal area (e.g., as the site is just a 10-minute drive from inland Ferndale, a popular visitor destination area, visitors wishing to view the ocean drive to Centerville Beach, which is their first and primary ocean-viewing area available in the entire region).

It is also important to note that, while not the focus of the County's project, portions of Centerville Road further south are very close to an eroding cliff edge (in some places, less than 25 feet). According to studies by Swirad and Young (2022), average retreat along this stretch of cliffs between 2009 and 2016 was approximately 4.8 ft/yr, suggesting some portions of the road south of the project area could be vulnerable to damage or instability within similar timelines as the lower-lying portions in the subject project area are vulnerable to damage from wave overtopping and beach erosion. This larger scale vulnerability underscores the many challenges facing this stretch of Centerville Road in the coming decade.

Finally, the County recognizes that inland relocation of Centerville Road and creation of a new or substantially modified beach access point for Centerville Beach will be required to adapt to changing shoreline conditions, and the County has indicated its support to undertake an adaptation planning study to consider managed retreat of the County road and access facilities at this location ([Exhibit 3](#)). Thus, the Commission integrates this commitment into **Special Condition 5**, requiring the County to submit a final Adaptation

²⁷ Since 2024, the Fleener Creek Trail and parking lot have been closed to protect public safety due to active erosion and landslide risk.

Planning Study that will serve as an initial step to adapt Centerville Road and the Centerville County Beach Park access facilities to long-term sea level rise. The study must include an engineering study of realignment and retreat options that consider anticipated coastal hazards through 2100 and avoidance of shoreline armoring in project concept designs. The study also must include initial feedback obtained through outreach and engagement with property owners, the federal land managers of Lost Coast Headlands, and tribal governments; an initial assessment of biological and cultural resources potentially affected by retreat/realignment options; and identification of further studies and plans needed to inform adaptation planning and better define a long-term adaptation project.

For all of these reasons, the Commission finds that the proposed project, as conditioned, appropriately mitigates for the project's armoring impacts, as it will allow public access improvements to be realized in the very near term, providing fairly immediate and tangible public benefits as opposed to an overall single in-lieu fee approach that may not be used or applied for some time, reducing its effectiveness, while also crafting a long-term approach to support public access in the area at a time when emergency responses appear to be increasing due to climate change. In addition, the above-described recreational use and access improvement projects will likely be worth much more to users than the cost to develop these improvement projects, as they have an intrinsic value to the shoreline-visiting public. In short, the above-described access mitigation constitutes an appropriate and adequate compensatory mitigation package to offset the impacts identified above and to address the fourth test of section 30235.

(b) Duration of Authorization

The Commission typically imposes conditions that restrict the use of armoring to the time frame when the existing structure being protected has not been redeveloped (and requiring armoring removal upon redevelopment). However, this is not a typical situation, and the structure in question is not considered existing for section 30235 armoring purposes, essentially negating the value of that approach. More appropriate here is to provide a specified time period for the authorization for the armoring portion of the project. In past cases when confronted with this question, the Commission has typically applied a 20-year duration clause, where 20 years has been deemed an appropriate amount of time to provide for re-review based on a consideration of possible changes in policy, law, and physical conditions associated with armoring. As previously discussed, this 20-year period is close to the applicant's anticipated design service life of the revetment, which is projected to be ~25 years. The Basis of Design report estimates that flooding and erosion of the roadway will be mitigated for that period (the report cites through 2050) with minimal maintenance required, and after which time the structural stability would need to be reevaluated. Thus, the Commission imposes **Special Condition 4** to allow the authorized development to be in place for a term of 20 years (through 2046). The applicant must submit an application to relocate or remove the authorized development and restore the affected areas to natural conditions at least one year prior to expiration of the authorization period. The condition allows for one request for an up-to-5-year extension of the authorization period, which aligns with the projected design life of the development. Should the development persist beyond the authorized period, including if the applicant fails to submit an extension request or a CDP application as detailed above, then the development will be considered "unpermitted" and subject to enforcement proceedings under the Coastal Act.

(c) Long-Term Stability, Maintenance, and Risk

Coastal Act section 30253 requires the project to assure long-term stability and structural integrity, minimize future risk, and avoid additional, more substantial protective measures in the future. This is particularly critical given the dynamic shoreline environment in this area. Also critical to the task of ensuring long-term stability, as required by section 30253, is a formal long-term monitoring and maintenance program. If the completed project were damaged in the future (e.g., as a result of additional landsliding, wave action, storms, an earthquake, etc.), it could lead to a degraded public access condition as well as loss of the integral public access improvements. In addition, such damages could adversely affect nearby beaches and recreational use areas by resulting in debris on the beaches and/or creating a hazard to the public using the beaches and offshore areas. Therefore, to find the proposed project consistent with Coastal Act section 30253, the project must be maintained in its approved and required state. Further, to ensure that the County and the Commission know when repairs or maintenance are required, the County must regularly monitor the condition of the completed project, particularly after major storm events. Such monitoring will ensure that the County and the Commission are aware of any damage to or weathering of the completed project and can determine whether repairs or other actions are necessary to maintain the completed project in their approved state.

Thus, to ensure that the project is properly maintained to ensure its long-term structural stability, **Special Condition 6** requires regular submission of monitoring and maintenance reports. Such reports are required to provide for evaluation of the condition and performance of the completed project and its overall stability, and to provide for necessary maintenance, repair, changes, or modifications to the completed project. In addition, **Special Condition 7** authorizes the County to maintain project components in their approved state through this CDP, subject to the terms and conditions identified by the special conditions.

In terms of recognizing and assuming the hazard risks for shoreline development, the Commission's experience in evaluating proposed development in areas subject to hazards has been that development has continued to occur despite periodic episodes of heavy storm damage and other such occurrences, as well as more steady erosion and other coastal hazards, all as may be exacerbated by sea level rise. Separate from its impact on coastal resources directly, development in such dynamic environments is also susceptible to damage due to such long-term and episodic processes. Though the County has designed the proposed project to reduce vulnerability to coastal hazards, it is not possible to remove all associated risk associated with the uncertainties of natural hazards. **Special Condition 9** requires the County to assume the risks of hazards for the project and to acknowledge that the proposed project is subject to potential risks. Special Condition 9 also stipulates that the Commission is not liable for damage as a result of approving the permit for development and requires the County to indemnify the Commission in the event that third parties bring an action against the Commission.

Finally, the Commission has long analyzed consistency with section 30253 in terms of analyzing a project's risks and structural integrity over time, taking sea level rise into account. However, section 30270 now explicitly requires the Commission to consider the effects of sea level rise in order to assess and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise. The findings above identify and assess the project's

hazards-related impacts in a manner that accounts for sea level rise. As described above, the Commission has also imposed conditions to avoid, where feasible, and mitigate the adverse, hazard-related impacts of sea level rise, as they relate to this project. For example, **Special Condition 6** requires submission of monitoring and maintenance reports to ensure that the project remains stable over time, and **Special Condition 7** authorizes maintenance of the project to ensure it does not erode or cause destruction of the site or surrounding area over time as sea levels rise and potentially cause the project to deteriorate. Anticipated maintenance activities may include, but are not limited to, repair of the rock revetment after large oceanographic swell events, repaving the roadway or parking area after damage from wave overwash, and maintenance of road drainage systems and roadside barriers. The above findings also describe how it is not feasible to completely avoid all project-related impacts because there is no less damaging alternative to the armoring in this instance. With these findings and conditions, the project can be found consistent with Coastal Act section 30270.

Coastal Hazards Conclusion

The proposal includes no “existing structures” as that term is understood under the Coastal Act, because the plans propose to redevelop this stretch of roadway by demolishing or abandoning the existing road section and constructing new road section elevated in places by up to 10 feet as well as adding new paved parking areas on what is currently sandy beach, thereby creating a new structure not entitled to protection under section 30235. Nor is the project a coastal-dependent use, as roads and beach access parking areas do not require a site directly on or adjacent to the sea to be able to function at all, including as evidenced by the fact that such infrastructure exists in a variety of other places throughout the region and state, and Centerville Road itself in some places is relatively far inland from the coast, and the County’s alternatives analysis for this project considers retreat of roadway and parking areas and vertical trail as project alternatives considered feasible though not at this time. Therefore, although in danger, the structure does not qualify for the shoreline armoring “override” available when Coastal Act section 30235 tests are met, and because such armoring is inconsistent with section 30253 (and other coastal resource protection policies; see remainder of this report), the project cannot be found consistent with Chapter 3 of the Coastal Act, which directs denial. However, denial would lead to loss of public recreational access, which would also be inconsistent with Coastal Act provisions that affirmatively require protection of public access, protection of a lower cost recreational facility, and protection of oceanfront land suitable for recreational use. In other words, denial of the project would also be inconsistent with the Coastal Act.

Therefore, it is appropriate to approve a project through the Coastal Act’s conflict resolution procedures (see Conflict Resolution findings) provided that impacts can be minimized and unavoidable impacts appropriately mitigated.

F. Public Recreational Access

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 30223 (among other policies) specifically protect public access and recreation as follows (in applicable part):

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 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

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 30222. *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

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

These overlapping Coastal Act provisions protect public recreational access to and along the beach/shoreline and to offshore waters for public recreational access purposes,

particularly free and low-cost access. Coastal Act section 30210's direction to maximize public access and recreation opportunities represents a different threshold than to simply provide or protect such access and is fundamentally different from other similar provisions in this respect. In other words, it is not enough to simply provide public recreational access to and along the coast, and not enough to simply protect such access but rather that such access must also be maximized. This terminology distinguishes the Coastal Act in certain respects and provides fundamental direction to maximize public recreational access opportunities with respect to projects along the California coast that raise such issues, like this one. In addition, with sea levels rising and coastal erosion, the mean high tide line will generally move landward over time depending on the beach/shoreline profile, seasonal tidal activity, and continued sea level rise. Given that that line often defines the demarcation point between public and private property (with the public's property lying on the seaward side, and generally held in public trust by the California State Lands Commission),²⁸ it is also important to consider the effect of shoreline projects like this one on what is best understood as an ambulatory public trust area, including where structures can halt the inland migration of the mean high tide line, and thus potentially halt the inland migration of public trust areas, at least physically.²⁹ Thus, it is also important that the Commission assess the effect of the proposed project on public trust resources.

Consistency Analysis

Background on Existing Public Access in the Area

As discussed in the coastal hazards section above (included herein by reference), Centerville Road is the primary public access facility at this location, providing both direct coastal access to the 2-acre County Beach Park and providing the only publicly accessible views of the ocean available from public roadways anywhere in the entire southern Eel River delta. Centerville Road originates in the inland City of Ferndale, five miles east of the subject site, and Centerville Beach County Park is the only beach access point in this lower Eel River region not only for Ferndale residents and visitors but also for residents of Fortuna, Rio Dell, Bear River Band of the Rohnerville Rancheria, and additional unincorporated urban and rural lands in the region.

The project area is the only portion of Centerville Road that directly fronts the beach, as the road leading up to the beach from Ferndale runs perpendicular to and inland from the coast, and Centerville Road directly south of the project site rises in elevation to the top of Centerville Bluffs, which, due to their steepness and erosivity, afford no beach access.

Though the County beach park is only two acres in size, hundreds of acres of beach and dune areas directly north and south of the County Beach Park also are used for recreational access by the public at times, but these areas are not formally part of the

²⁸ The State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds and manages these lands for the benefit of all people of the State for statewide purposes consistent with the common law Public Trust Doctrine ("public trust"). In coastal areas, the landward location and extent of the State's sovereign fee ownership of these public trust lands are generally defined by reference to the ordinary high-water mark (Civil Code Section 670), as measured by the mean high tide line (*Borax Consol. v. City of Los Angeles* (1935) 296 U.S. 10), and these boundaries generally remain ambulatory as natural processes dictate.

²⁹ The artificial fixing of a shoreline does not permanently fix the legal property boundary (see *United States v. Milner*, 583 F.3d 1174 (9th Cir. 2009)).

County park or in public ownership³⁰ (though there is evidence that public prescriptive rights may exist in these areas). Much of the beach and dune lands along the approximately 5-mile-long sand spit south of the Eel River mouth are in private ownership, and it's been widely documented over the decades that public beach users accessing the coast from the County Beach Park often trespass onto private beach and dune areas for passive (e.g., hiking) and motorized vehicular uses. There are no or very few property boundary markers (e.g., signs or fences) indicating the boundaries of the County beach park property or the boundary between state (below the mean high tide line) and non-state lands. Thus, public beach recreational users typically don't realize when they may cross the boundary between public and private lands. As previously discussed, private landowners to the north are in the process of formally offering for dedication a public access easement for passive public recreational use in the coming months, which may result in expansion of County park boundaries by an additional approximately 80 acres.

Also as discussed earlier, Centerville Beach County Park historically had parking capacity for approximately 100 vehicles, but today there is virtually no parking remaining (historic parking areas have eroded or been consumed/buried by sand). The public wishing to access the beach must park along the edge of the road, parallel to and immediately adjacent to the road, on top of sand, as there is no improved parking area remaining in this location (due to k-rails set up by the County and the narrowness of the beach relative to the high tide line, especially during the winter months, there's typically room for about 10 or so cars to park on the sand adjacent to the roadside). Thus, the County park is currently severely compromised due to erosion and sand build-up and safety concerns with the current practice of people parking along the edge of the roadway for beach access where sight distance is poor due to the curvature of the road.

In addition to Centerville Beach County Park, Centerville Road also is the only means of access to another coastal recreational access area located two miles south of the County beach park – the Lost Coast Headlands, which is part of the California Coastal National Monument system and offers opportunities for hiking, bird watching, wildflower viewing, and beachcombing. As Centerville Road is a dead-end road, accessing beaches south of Lost Coast Headlands requires a 45-minute driving detour (about 22 miles) inland through Ferndale and over the Wildcat Hills (nearly 2000-ft-climb) to eventually access beaches along Mattole Road south of Cape Mendocino.

Impacts

As discussed above in the coastal hazard section (incorporated herein by reference), the footprint of the proposed armoring occupies roughly 1.7 acres. In addition to the direct loss of useable recreational beach area (which totals 1.2 acres in this case), shoreline armoring produces a number of effects on the dynamic shoreline system and the public's beach use interests. First, the proposed armoring would be part of a structural assemblage that denies sand and rock bearing material to the beach, because the retained material behind the revetment will not be available to nourish the shoreline. Second, the proposed revetment will continue to fix the back beach location. Given projected sea level rise estimates, the

³⁰ The beaches of the federally managed Lost Coast Headlands are to the south, beyond the private lands immediately adjacent to the County park, but they're mostly not accessible from Centerville Beach due to topography and bluff erosion.

effect will continue to be a narrowing of potentially useable shoreline space. Together these impacts conspire to reduce the actual area in which the public could pass along the shoreline here, thereby negatively impacting coastal public access.

On the other hand, in the larger regional context, the project will protect access to important beach and coastal recreational areas in the region. Preserving the integrity of the roadway itself, which provides access to both Centerville Beach County Park and Lost Coast Headlands, and rebuilding some of the parking area that historically was provided at the County beach park provides an overall public access benefit for recreation. As discussed above, the inland City of Ferndale five miles to the east is a popular visitor destination point because of its unique historic character, and Centerville Beach is the City's nearest beach access point and virtually the only remaining beach access point between the Eel River and beaches along Mattole Road south of Cape Mendocino (since 2024, the Fleener Creek Trail and parking lot of the Lost Coast Headlands have been closed to protect public safety due to active erosion and landslide risk; though the Guthrie Creek Trail remains open, it's less accessible than Centerville). There is no fee required to park or recreate at either the County park or the Lost Coast Headlands, and thus these areas provide important lower-cost visitor and recreational facilities that the proposed project will preserve and improve in the near-term until a long-term adaptation plan for managed retreat of road and parking facilities can be developed. Further, the access improvements to be provided include off-street parking (including ADA parking), a sidewalk, and a vehicle turnaround area, which will improve public access and safety for visitors at this location where the historic parking area has eroded away, and existing parking and access currently are unsafe due to space constraints and windy road curvature at this location.

Maximizing Access & Mitigation/Conditions

Section 30210 requires that public access opportunities be maximized in any project. As described in the coastal hazard section, while the proposed project represents a significant benefit to the public's ability to access and recreate the beach at this location and will maintain access to Lost Coast Headlands in the near-term, the project itself does not wholly mitigate for impacts, including the net loss of over an acre of sandy beach area associated with the revetment footprint, which herein (above) is quantified to be between \$1 million and \$3 million worth of impacts. Rather than require the County to pay a \$1-million to \$3-million dollar mitigation fee, this approval is based on a mitigation strategy discussed in the coastal hazard section and incorporated here by reference. In general, that mitigation package can be described as (with enforceable **Special Conditions 1, 4, 5, and 10**): (1) recognizing the public access improvements proposed as part of the project (improved safety of Centerville Road and off-street parking), and ensuring all public recreational access areas and features remain in good condition and available for public use during the project authorization period; (2) implementing additional design changes and added public access amenities (e.g., signs, benches, etc.), (3) ensuring that project elements that will be used to facilitate, manage, and provide public access to and through the approved project be planned, sited, and designed to maximize passive public recreational access by maintaining existing roadside pullout parking, by requiring that pedestrian access be available to the general public 24 hours a day free of charge, and by designing the facility to disallow motorized vehicular access while accommodating access for pedestrians and beach wheelchairs; (4) requiring development of a comprehensive Public Access Management Plan for the County beach park that clearly identifies all parameters for use of

the public access areas, improvements, and amenities and ensures that facilities will be maintained in a manner that maximizes public use and enjoyment; and (5) developing the planning and design for long-term adaptation of the County access facilities, including provisions for ensuring public access facilities including parking, viewing areas, and connecting access trails will be provided as part of the long-term adaptation project. The proposed project as conditioned will result in tangible public recreational access improvements both in the near-term and long-term to offset impacts here, including in terms of the calculated \$1 million to 3 million impact assessment.

Public Access Conclusion

As described in detail in the coastal hazard section of this report, and as reiterated in this section of the report, there are demonstrable public recreational access impacts that require mitigation if the project is going to be approved through conflict resolution. Fortunately, through the mitigation package discussed above, these impacts can be addressed appropriately. Therefore, as approvable through conflict resolution and as conditioned, the project can be found consistent with the public access and recreation provisions of Chapter 3 of the Coastal Act.

G. Environmentally Sensitive Habitat Areas

Applicable Coastal Act Provisions

The Coastal Act protects environmentally sensitive habitat areas, or ESHAs as follows:

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

Consistency Analysis

Determining ESHA

Coastal Act section 30107.5 provides a two-part test for determining what constitutes ESHA – first, determining whether an area includes plants, animals or their habitats that are either rare or especially valuable because of their special nature or role in an ecosystem, and if so, whether such plants, animals, or habitats could be easily disturbed or degraded by human activities. Importantly, “plant or animal life” is interpreted to include unique assemblages and communities. Sensitivity is generally interpreted with respect to a broad suite of stressors, including human development and degradation as well as the changing climate (e.g., habitat fragmentation, noise or lighting, landform alteration, sea level rise).

Areas meeting these two tests can then be deemed ESHA.

The Commission has historically relied on expert technical guidance from state and federal resource agencies and other qualified expert groups when making rarity determinations for habitats and species. Global and state-ranked 1, 2, or 3 vegetation communities and plant and animal species are typically considered qualifying, as are federal and state listed species under the Endangered Species Act and California Endangered Species Act, respectively.³¹ In addition, plants with California Rare Plant Ranks of 1 and 2, California Species of Special Concern, California Fully Protected Species, and candidate endangered or threatened species are as well.³² Beyond this, information sources, including local and technical literature, may guide a determination. For example, genetically-isolated populations, resources on watch lists within a specific geography, or per other statuses from expert associations may be taken into consideration and support the Commission's analysis of rarity.³³ Importantly, expert assessment and guidance often integrates assessments of threats and trends into their ranking practices, and, thus, while less evidenced by the final label of "rarity" rankings, these rankings actually support interpretation of the sensitivity clause of the ESHA definition and determinations.³⁴

In evaluating sensitive natural vegetation communities, the Commission typically relies on alliance classifications following the Manual of California Vegetation (MCV), though whenever feasible, association classifications are preferred.³⁵ Some areas of the state have yet to be classified following these standards, and when this occurs, the California Department of Fish and Wildlife advises that it may be appropriate to use older classification systems such as that described by Holland (1986), particularly for sensitive

³¹ For a detailed description of each rank in the standardized NatureServe system, see <https://www.natureserve.org/nsexplorer/about-the-data/statuses/conservation-status-categories>

³² For descriptions of the California Native Plant Society's CRPRs, see <https://www.cnps.org/rare-plants/california-rare-plant-ranks>. CDFW lists of special status species in California can be found at <https://wildlife.ca.gov/Conservation>

³³ Within the California Natural Diversity Database (CNDDB), conservation statuses recognized by 14 additional authorities are provided for each record in the attributes table.

³⁴ NatureServe Conservation Status Assessments used to determine ranks for species and ecosystems incorporate factors such as threat scope, severity, and timing, and weights these in evaluating resource trends as well. For a detailed description, see <https://www.natureserve.org/products/conservation-rank-calculator>. Also see the above link for CRPRs, which incorporate threat analyses into its ranking system.

³⁵ Since the mid-1990's, the State of California has used hierarchical classification standards for mapping and describing vegetation communities (see <https://wildlife.ca.gov/data/vegcamp/publications-and-protocols>). Under the Manual of California Vegetation (available online at: <https://vegetation.cnps.org/>), alliances are quantitatively defined by their membership rules, which include plant species compositions, constancy, cover values, and the presence of indicator species. Associations are the most granular level within the hierarchy, represent variations of communities within each alliance, and where available, are the preferred level for evaluating communities in terms of resource protection. Alliances and associations with State rankings 1-3 (and associations denoted with a 'Y' indicating sensitivity absent a final ranking as yet) are considered sensitive and are generally considered ESHA. All associations within a sensitive alliance are considered sensitive; however, sensitive associations can also occur under alliances not ranked as sensitive. The list of community rankings for both alliances and associations per CDFW's Vegetation Classification and Mapping Program (VegCAMP) is updated regularly and is available at <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>.

community types.^{36,37} In this case, along the North Coast where vegetation mapping and analysis per current standards is still underway and not yet fully available, the latter applies.

The ESHA definition also makes reference to determinations based on a habitat's special nature or special role in the ecosystem. Examples of a special determination on the basis of a resource's nature include where a pristine example of a habitat type exists, the type represents an unusual ecotone or species assemblage, or where a population exhibits unique characteristics. A special determination on the basis of a resource's role could be represented by its function as a habitat corridor, occurrences at the edge of a species range from which it would have potential to migrate in response to climate shifts or may represent genetically distinct units, or areas providing critical ecosystem services such as protecting water quality or supporting coastal resilience. Notably, the Commission has routinely found that several categories of such habitats rise to the level of ESHA, including riparian and dune ecosystems.

Project Area's Ecological Resources

Multiple habitat assessments were completed for the project, most recently in 2020 with an updated ESHA map provided in 2025. The 2020 revised botanical memo completed by the applicant's consultant (GHD) describes the habitats in the project area in part as follows:

The project area contains Sensitive Natural Communities (SNC), Environmentally Sensitive Habitat Areas (ESHA), and potential wetlands (1-parameter as designated by the Coastal Commission and 3-parameter as designated by USACE). A steep coastal bluff with native scrub habitat occurs on the eastern side of Centerville Road. Native shrub and herbaceous species dominate the east-facing bluff ..., and invasive species dominate the northern edge and erosive north-facing side of the bluff California blackberry (*Rubus ursinus*) and salal (*Gaultheria shallon*) are the dominant shrub species on the eastern-facing bluff. This area is classified as *Rubus* Shrubland Alliance/Coastal Brambles Sensitive Natural Community (S3G4). A small patch of emergent Sitka spruce (*Picea sitchensis*) occurs within this community, but at low cover relative to the entire area of the community. Other prevalent native shrub species occurring in this community included twinberry (*Lonicera involucrata*), coyote brush (*Baccharis pilularis*), poison oak (*Toxicodendron diversilobium*) and wax myrtle (*Morella californica*). The shrub and herbaceous stratum were diverse. Predominant herbaceous species, or those with high relative cover values, included sword fern (*Polystichum munitum*), California figwort (*Scrophularia californica*), and coast man-root (*Marah oregana*). The invasive species pampas grass (*Cortaderia jubata*) occurred in patches throughout the community. This vegetation community best fits the description of the *Rubus ursinus* Shrubland/Coastal brambles Alliance per the Manual of California Vegetation due to the dominant and co-dominant shrub species composition (Sawyer et al. 2009). This vegetation alliance has a State Rank of S3 meaning it is considered

³⁶ Holland RF. 1986. Preliminary descriptions of terrestrial natural communities of California. State of California, Resources Agency: Department of Fish and Game, Natural heritage Division. Sacramento, California. 186 pp.

³⁷ Also see VegCAMP discussion of unclassified areas of the state at <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>

Sensitive as defined by the *Hierarchical list of Natural Communities* (CDFW 2020). The Coastal brambles community meets the definition of ESHA by the Coastal Commission based on the Sensitive ranking by CDFW...

... Sensitive Natural Communities including potential wetlands with *Salix hookeriana* shrubland/Coastal dune willow thickets (S3G4), and Dune mat with *Ambrosia chamissonis* and *Elymus mollis* (S3G3) were observed outside of the project area to the southwest of the road...

...Three small patches of dune mat vegetation occur within the project area. The largest is adjacent to the *Rubus ursinus* shrubland/Coastal brambles patch. One small patch is south of the parking area, and one small patch can be found near the northwestern edge of the project area... Within the southernmost patch, beach-bur sage (*Ambrosia chamissonis*) is the dominant species. It occurred with two other species, the native species, American dune grass, (*Elymus mollis* subsp. *mollis*), and the non-native species, sea rocket (*Cakile maritima*). American dune grass and sea rocket occurred as minor components, and the total cover for all three species was approximately 10%. This community best fits the description of the *Abronia latifolia* – *Ambrosia chamissonis* Herbaceous Alliance or Dune mat Alliance per the Manual of California Vegetation (Sawyer et al. 2009). According to the *Hierarchical list of Natural Communities* (CDFW 2020), this community is ranked as S3 and is considered Sensitive...

In addition to the identified sensitive vegetation described above (referred to as “dune mat” and “coastal brambles”), the federally listed Western Snowy Plover (*Charadrius nivosus nivosus*) is known to nest on the beaches of the southern Eel River spit. As such, the project required consultation with the U.S. Fish and Wildlife Service (USFWS), and the USFWS published a Biological Opinion (BO) for the project in December of 2020. The BO describes the “entire action area” (i.e., construction footprint plus 330-ft buffer area) as western snowy plover critical habitat, though degraded. Specifically, it describes the habitat as follows:

There was evidence of heavy off-highway vehicle (OHV) use throughout nearly the entire action area, and overnight camping was observed on dunes north of the project area. The entire action area also showed signs of heavy use by humans and their pets (mainly dogs and horses). A lot of human trash was observed across the project area beach including fireworks, beverage containers, wrappers, food material, and several bonfire pits, one of which was still smoldering near the parking lot. Human trash likely serves as an attractant for predators, including corvid species. Several common ravens (*Corvus corax*) were observed feeding on trash on the beach during the site visit. The GHD wildlife biologist concluded that critical habitat within the project area was moderately suitable for plovers. However, the heavy human use of the project area suggests that plovers would rarely if ever use the habitat within the action area for any activity other than brief foraging bouts or infrequent roosting.

It also notes several invasive plant species including wild radish (*Raphanus raphanistrum*), European beachgrass (*Ammophila arenaria*), and ice plant (*Carpobrotus edulis*). The BO notes that the nearest documented plover nests to the project site (documented between

2011 and 2019) were located 0.22-mile north of the project area. It also notes that individual and small flocks of plovers have recently been detected closer to the action area.

Impacts

(a) Sensitive Vegetation

Based on the botanical surveys summarized above, the project will result in the “temporary” and “permanent” impacts listed below (and see ESHA impact map, [Exhibit 5](#)). It’s worth noting that in the context of projects anticipated to be constructed in a single season, as is the case here, the Commission typically considers “temporary impacts” to be those where 1) there is no significant ground disturbance and 2) the vegetation recovers to comparable age classes and/or size structure distributions within 12 months of the initial point of disturbance. Impacts involving significant ground disturbance or necessitating more than 12 months for recovery following the conclusion of disturbance would be considered permanent.

Temporary impacts:

- Dune mat – 0.017-acre (741 square feet) of dune mat south of the project area could be indirectly disturbed given the proximity to construction. This is outside of the project footprint and will be flagged for avoidance.
- Coastal brambles – 0.07-acre (3,049 square feet) of coastal brambles in two patches, one adjacent to the southern end of the project footprint and one on the inland side of the road, will be trimmed back for construction access and are expected to grow back to its pre-project condition within one season.
- Willow – a small patch of Hooker’s willow occurs at the north end of the project area, 0.013-acre (566 square feet) of which may be disturbed by construction vehicles. Vegetation will not be removed or trimmed, and this patch will be flagged for avoidance.

Permanent impacts:

- Dune mat – 0.023-acre (1,002 square feet) of dune mat in three patches along the roadside will be directly and permanently impacted.
- Coastal brambles – Out of the same two patches of coastal brambles anticipated to be temporarily impacted, the applicant estimates that permanent impacts may also occur to up to 0.194-acre (8,451 square feet) of these two mapped coastal bramble areas.
- Willow – Although the willow patch will be flagged for avoidance, the applicant estimates that permanent impacts may occur to up to 0.002-acre (87 square feet) of the patch.

(b) Western Snowy Plover Habitat

As determined by the analysis completed by the USFWS in the BO, the project will result in both temporary and permanent impacts to federally designated critical habitat for western snowy plover at Centerville Beach, specifically within the narrow beach area adjacent to

and including the existing beach parking lot. However, given the degraded condition of habitat within the project area and its regular use, the potential for significant disturbance is low, and several “conservation measures” were identified as appropriate to minimize impacts ([Exhibit 6](#)). The USFWS’s BO concludes that project activities will temporarily affect 0.74 acres of designated critical habitat directly adjacent to the road and existing parking lot.

Temporary impacts to any individual plovers foraging along the wave slope or resting on the sand or nesting plovers in the vicinity may result from disruption from visual presence of construction equipment and workers and elevated noise levels. Human activity within 141 ft (40 m) of a plover or nest could cause harm unless avoidance buffers are established if nests are detected. Noise impacts are expected to be temporary and localized. Maximum construction noise (from excavators and other heavy equipment) is anticipated to attenuate to ambient levels within approximately 630 feet or less. Given the degraded condition of habitat within the project area, high pedestrian use, and presence of nest predators in the area (e.g., corvids), the potential for significant disturbance is low. With implementation of avoidance buffers (325 ft for nests), monitoring, and the various other conservation measures identified by the USFWS as appropriate, visual and noise disturbances are not expected to result in measurable effects on plover survival or reproduction.

Permanent effects include a conversion of critical habitat from sandy beach to revetment and paved surfaces. Based on the proposed permanent habitat conversion, the USFWS concluded that 0.36 acres of permanent critical habitat would be lost. However, the USFWS also concluded that the habitat conversion area is currently unsuitable for nesting plovers due to disruption as a result of roadway traffic and regular beach use by pedestrians and offroad vehicles users. USFWS concluded that while “take” of habitat was confirmed, that habitat to be lost is unsuitable for nesting plover, and that no mitigation for the impact is required under the Endangered Species Act consultation.

Consistency Analysis

Coastal Act Section 30240 allows only resource-dependent development in ESHA. As summarized above, the project would result in permanent, as well as temporary, impacts to dune mat, coastal brambles, and willows. Since the project is not a resource-dependent use as required by the Coastal Act, it is inconsistent with the ESHA protection requirements of the Coastal Act. However, because the armoring component of the project may be approved in order to resolve conflicts between Coastal Act mandates (see below in Conflict Resolution section), these impacts can also be allowed but only if they can’t be avoided, are minimized and are adequately mitigated. Using the Commission’s typical base mitigation ratio for permanent ESHA impacts (3:1), the project would require a total of 3,006 square feet of dune mat mitigation, 25,356 square feet of coastal brambles mitigation, and 261 square feet of mitigation for the willow patch in the form of substantial habitat restoration or creation. Under the Commission’s typical definition of substantial restoration, a mitigating action must restore a full suite of self-sustaining functions to qualify.³⁸

³⁸ Under the Commission’s typical definition of substantial restoration, a mitigating action must restore a full suite of self-sustaining functions to qualify, whereas enhancement actions involve improvement of limited ecological functions (e.g., one or two functions as opposed to a full suite). As such, mitigation ratios should be adjusted to reflect this difference in ecological lift provided by efforts, typically by requiring twice the base ratio when

As proposed, the project is best characterized as armoring of new road and parking lot infrastructure that will be “softened” via incorporating natural features (i.e., burying the structure with sand and planting it with appropriate vegetation). The applicant has identified areas suitable for replanting vegetation along the top of the new armoring structure after the structure is backfilled with sand. This area extends along the length of the project area south of the parking lot entrance and additionally along area immediately seaward of the parking lot. This combined area is estimated about a quarter acre (10,500 square feet) in size, which would satisfy a portion but not all of the mitigation requirement for the project’s habitat impacts, particularly given the importance of maintaining and enhancing beach and dune habitats in this area where they have already been significantly reduced from past erosion and impacts from vehicular traffic on the sand. However, ample additional areas in the vicinity are available for the remaining mitigation given the extensive beach and dune areas north and south of the project site, including the forthcoming easement area that may soon become part of the County’s park holdings plus hundreds of acres of additional lands north and south of the project site managed by The Wildlands Conservancy and the Bureau of Land Management.

In summary, there are opportunities to mitigate in-kind within the project area and surrounding dune habitats, and a conceptual mitigation framework has been proposed and described by the applicant to mitigate for permanent ESHA impacts. **Special Condition 11** requires the applicant to develop and implement a final ESHA mitigation and monitoring plan for the Executive Director’s review and written approval.

For projects that anticipate temporary impacts to ESHA, the Commission typically requires that the temporary impacts be validated through pre- and post-construction surveys and monitoring. **Special Condition 2-f** requires that temporary impacts to dune mat, coastal brambles, and willow are validated as temporary with pre- and post-construction site photographs submitted to the Executive Director. If unanticipated permanent impacts to these areas occur, the permittee will be required to restore and/or mitigate for the unanticipated impacts, which may require an amendment to this CDP.

Finally, as discussed above (in the Coastal Hazards section), existing access at this County beach park is currently open to motorized vehicular use. Due to the nature of Centerville Road at the County beach park site being narrow, with no shoulders, immediately adjacent to level sand, and curved in a manner that facilitates offroad access to the beach, members of the public for decades have occasionally been recreating offroad vehicles on the County beach as well as the much broader area of beaches and dunes to the north and south of the 2-acre County park. Because existing access at this County beach park is currently open to offroad vehicle use (and per a County ordinance, such use is authorized), the plans as proposed would leave the gate being default open even though there’s a long history of problems with motorized vehicular trespass onto neighboring agricultural properties and degradation of dunes and other habitats. As previously discussed, the County’s proposed allowance of motorized vehicular use of the proposed beach access ramp conflicts with the passive-only uses allowed in the imminent 80-acre public recreational easement north of the County park. It also conflicts with Coastal Act section 30240(b), which directs that development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts that would significantly

enhancement is used (i.e., 6:1 for ESHA).

degrade those areas and shall be compatible with the continuance of those habitat and recreation areas.

However, the requirement of Special Conditions 1-a, 1-b, 6, and 10 (previously discussed) will not only maximize public access in this area but also will protect beach and dune habitats along the southern Eel River spit, including habitats for western snowy plover, by restricting damaging motorized vehicular access. These requirements are imposed not only to mitigate for armoring/public access impacts (requiring the applicant to submit final revised plans with measures to prevent motorized vehicular use at Centerville Beach County Park, to manage the park to maximize access for passive uses, to monitor and report on any unauthorized motorized vehicular use, and maintain barriers to prevent such use in the future) but also to ensure that the permitted development prevents impacts that would significantly degrade ESHA in the surrounding area and provide for its continuance, as required by Coastal Act section 30240(b).

ESHA Conclusion

The impermissible impacts to ESHAs from the construction of the armoring are not Coastal Act consistent and even if mitigated properly the inconsistency with those policies directs a project denial. However, given that denial of the proposal would result in complete loss of public beach access to this portion the Humboldt coast, this approach would be inconsistent with the affirmative protection policies of Coastal Act sections 30210 and 30213 requiring maximize public access and recreational opportunities and protection of lower cost visitor and recreational facilities. In other words, denial of the project would also be inconsistent with the Coastal Act. Therefore, it is appropriate to approve a project through the Coastal Act's conflict resolution procedures (see Conflict Resolution findings below) provided that impacts can be minimized and unavoidable impacts appropriately mitigated.

H. Marine Resources / Water Quality

Applicable Coastal Act and LCP Provisions

Both open water and shoreline area habitat resources are protected by the Coastal Act in various ways.

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.*

Consistency Analysis

The project site abuts the Pacific Ocean directly to the west and will be situated on sandy beach within the County's public right of way. Given the project's location near coastal waters, it is necessary to ensure that construction activities will be carried out in a manner that will not adversely affect water quality or marine resources. Construction equipment used for the project has the potential to contaminate adjacent soil and waterways from spills and leaks from equipment. In addition, discharge to the marine environment would result in adverse effects to offshore habitat from contamination and/or increased turbidity caused by erosion and siltation of coastal waters. To ensure that adverse effects to the marine environment are minimized, **Special Condition 2** requires the County to implement a suite of construction BMPs, and to appropriately dispose of excess construction debris and materials, excess fill, vegetation spoils, and waste material to ensure that such materials/debris/waste is contained to prevent any discharge of polluted runoff to coastal waters and is disposed of at an authorized disposal site(s) capable of receiving such materials.

In the current condition there are no culverts or drainage systems at the site right now. Stormwater runoff from the coastal bluff currently flows from the hillside across the roadway and drains to the beach and, at the north end of the project site, to a wetland adjacent to the project area. The improved road segment will include the addition of three new culverts to route stormwater beneath the elevated road prism and reduce water buildup in ditches (including the inboard ditch proposed to be constructed on the inland side of the road at the base of the bluff). These culverts will be on the south, north, and northeast sides of the site. The culverts are designed to slow water down at the outlet to prevent erosion. Proposed erosion-control measures to protect adjacent wetlands will be used, including fiber rolls, silt fences, and temporary fencing.

While the County has proposed some measures to protect water quality, more specific measures are needed to further avoid and minimize the projects potential impacts on water quality. For example, hydraulic fluids are used in several types of heavy equipment, such as excavators, that may be used on a construction site. Hydraulic lines are under pressure and breaks in hydraulic lines are a commonplace occurrence in construction equipment. Standard hydraulic fluids are based on petroleum products (such as mineral oils), and due to their high aquatic toxicity, they pose a risk if leaked or spilled in or near sensitive aquatic habitats. There are alternative non-petroleum hydraulic fluids available for use in construction equipment that have lower aquatic toxicity than petroleum products. Non-petroleum hydraulic fluids choices include vegetable oil-based (canola oil or other crop-based oils) or synthetic (polyglycols or synthetic esters) hydraulic fluids. In addition to having lower aquatic toxicity than petroleum products, vegetable-oil based hydraulic fluid

and biodiesel are biodegradable and break down more rapidly in the environment than petroleum products. Using biodegradable hydraulic fluid and biodiesel instead of petroleum products thus can reduce the contamination of soil, groundwater, and surface waters from hydraulic fluid and fuel spills from construction equipment.

Therefore, the Commission attaches **Special Condition 2-c-iv** requiring that equipment used at the project site shall use biodiesel and vegetable based during construction to the extent feasible, fueling and maintenance of construction equipment and vehicles shall be conducted at least 50 feet inland from the beach, and that all construction activities only occur during periods of dry weather (**Special Condition 2-b**).

Additionally, although erosion and sediment control products classified as temporary, such as those proposed in this case, are designed to degrade with time, several temporary erosion and sediment control products with plastic netting are commonly left in place permanently. The length of time it takes for plastic netting to begin to degrade depends on the netting composition and the environmental conditions, but the netting can remain intact many years after installation. When plastic netting does eventually fall apart, plastic fragments may be blown or washed into waterways and the ocean, creating an entanglement and ingestion hazard for marine life. Plastic netting also has been found to entangle terrestrial wildlife, including reptiles, amphibians, birds, and small mammals. Therefore, the Commission also attaches **Special Condition 2-c-ii**, which prohibits the use of temporary erosion and sediment control products (such as fiber rolls, erosion control blankets, mulch control netting, and silt fences) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers).

Marine Resources Conclusion

Therefore, the Commission finds that the proposed project as conditioned will minimize significant adverse impacts on the marine environment and will protect the quality of coastal water consistent with sections 30230, 30231 and 30232 of the Coastal Act.

I. Archaeological Resources and Tribal Consultation

Applicable Coastal Act Provisions

Section 30244 of the Coastal Act states:

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

Consistency Analysis

The Commission's Tribal Consultation Policy (adopted on August 8, 2018)³⁹ recognizes the importance of State efforts to protect 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

³⁹ See <https://documents.coastal.ca.gov/assets/env-justice/tribal-consultation/Adopted-TribalConsultation-Policy.pdf>.

also qualify as archeological, paleontological, visual, biological, or other resources that the Commission is tasked with protecting pursuant to the Coastal Act. Construction activities that disturb soils (e.g., grinding, tilling, disking, and digging/excavating) could damage historical or archaeological resources.

The project site is located within the ancestral and present-day territory of the Wiyot. Historically, the Wiyot included three tribal divisions (Patawat, Wiki, and Wiyot), each associated with a water-related resource (the Mad River, Humboldt Bay, and the lower Eel River, respectively) and each speaking a common language (Selateluk). Settlements existed all around Humboldt Bay and the Eel River, and along the banks of many of the streams and sloughs in the region. Three federally recognized California Native American tribes in the region – the Wiyot Tribe, the Blue Lake Rancheria, and the Bear River Band of the Rohnerville Rancheria – include citizens of Wiyot ancestry that are culturally affiliated with the greater Humboldt Bay region Wiyot ethnographic area as mapped by the Tribes.

Consistent with the Commission's Tribal Consultation Policy, Commission staff reviewed the cultural resources screening memorandum and outreached to local tribal representatives (in October of 2025) regarding the project. Staff shared project plans and the Cultural Resource Technical Memorandum prepared for the project by DZC Archaeology & Cultural Resource Consulting, LLC Associates. The Wiyot Tribal Historic Preservation Officer (THPO) responded on November 4, 2025, confirming receipt and review of the project materials and requesting a condition be included requiring protocols for inadvertent archaeological discovery. The THPOs of the Bear River Band of the Rohnerville Rancheria also responded requesting a site visit, which occurred in January of 2026. During the site visit, Bear River Band representatives discussed the importance of the site's history to the Tribe and its proximity to a known village site and former fish camp. The Wiyot village of Tokërtäyërwok is said to have been near the head of Centerville Slough in proximity to the project area. Representatives shared their excitement to host a future ceremony here once parking and access improvements are complete, as the Tribe has recently acquired two beach wheelchairs that they are eager to use to bring elders to the coast, and to this site in particular, as it's the closest beach to the Tribe's sovereign lands 10 miles to the east. For these reasons, the Tribal representatives highlighted the importance of the proposed ADA parking and multipurpose ramp down to the beach as favorable design concepts. Concluding the site visit, the Bear River THPO followed up via email requesting that ground disturbance be subject to inadvertent discovery protocols.

Coastal Act section 30244 requires that reasonable mitigation measures be employed where development could adversely impact archaeological or paleontological resources. In this case and according to the Cultural Resource Technical Memorandum, the proposed new development has a very high probability of encountering additional, sub-surface historic and pre-contact era resources within the general area of potential effect. Therefore, **Special Condition 13** requires that at least a month before commencement of any ground disturbing activities, the County must provide written notification to the Tribes and invite Tribal representatives to be present to monitor ground-disturbing activities. If during construction an area of cultural deposits is discovered during the course of the project, all construction must cease and a qualified cultural resource specialist must analyze the significance of the find in conjunction with the THPOs. To recommence construction following discovery of cultural deposits, the applicant is required to submit a supplementary archaeological plan for the review and approval of the Executive Director,

who determines whether the changes are de minimis in nature and scope, or whether an amendment to this permit is required.

In conclusion, based on the tribal consultation and outreach performed by Commission, the Commission finds that the proposed project, as conditioned, includes reasonable mitigation measures to protect archaeological and tribal cultural resources consistent with Coastal Act section 30244.

J. Visual Resources

Applicable Coastal Act Provisions

Section 30251 of the Coastal Act states, in part:

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...

Although the County's certified LCP designates some areas of the County as "Coastal Scenic Areas" where new development must protect public views and be subordinate to the character of the setting, the subject site is not within an area so designated. Nevertheless, the LCP does include Coastal Act section 30251 as an enforceable policy.

Consistency Analysis

The visual character of the area is scenic, natural, open, and pastoral with few man-made structures visible in the immediate area other than the roadway itself and its associated signage, a defunct utility pole at the north end of the project area (that historically served an adjacent barn that no longer is standing but its partial remains comprise a debris pile adjacent to the roadway), a partially eroded sand berm adjacent/parallel to the roadway created by past (unpermitted) maintenance activities undertaken by the County, k-rails (some partially or fully buried) placed (without the benefit of a CDP) on County park property (including on the beach sand) for parking management, and a large cross (a state historic monument commemorating an 1860 shipwreck) that was placed on the beach nine years ago without the benefit of a CDP after being relocated to the County beach park from nearby eroding bluffs.⁴⁰

The applicant submitted a visual impact assessment with the application materials. The assessment considers the visual character and quality of the area and concludes in part:

The "form" and "line" of the corridor would differ slightly from the exiting roadway due to the slightly larger footprint, increase in elevation along the alignment, and presence of RSP. The color of the project site would be similar to existing conditions, with the widened roadway matching the existing asphalt paved

⁴⁰ The cross was relocated to the site in 2017 from its previous siting on nearby eroding bluffs. See <https://lostcoastoutpost.com/2017/jan/5/hallelujah-centerville-cross-rescued-cliffs-edge/> and <https://ohp.parks.ca.gov/ListedResources/Detail/173>.

roadway and the RSP being covered with sand to blend in with the existing sand-covered beach adjacent to the project footprint. The parking lot would be converted into a paved area, which would differ from the existing informal sand area utilized for parking currently. The proposed 8-foot sidewalk would also be paved along with the new access road, adjoining the parking area, resulting in a change in texture and form. Overall, the parking area, pathway, and access road would generally be consistent with the existing corridor.

The visual quality of the existing corridor will not be significantly altered by the proposed project. The road alignment would be the same as under existing conditions, with a gradual change in elevation. The newly paved parking area would provide the same utility as the current parking area; however, the access road would confine access to the beach at one location, which could potentially provide a beneficial visual effect. The installation of the RSP along the western edge of the widened roadway would provide new protection from waves and sea level rise. Therefore, the existing sand berm located along the western side of the roadway would no longer be required. The removal of the sand berm would enhance the visual quality of the corridor by providing less obstructed views of the beach and ocean. The visual quality of the existing corridor would be improved slightly as a result of the proposed project.

The Coastal Act requires that shoreline armoring be avoided whenever possible, and that the visual impacts of any shoreline armoring be minimized to the greatest extent possible. As noted above, the project and associated construction activities will be visible from the beach and adjacent areas, which is unavoidable, and parts of the proposed armoring will inevitably be visible when exposed, especially during the winter and heavy rain events when the beach is lower and more eroded as discussed in the coastal hazards findings section of this report. At those times, the armoring will introduce a particularly unnatural and artificial structure into the beach setting, thus degrading the beach viewshed. This impact can be addressed as much as possible by requiring such visible areas to be camouflaged and maintained to appear as natural and dune-like as possible.

The visual impact assessment recommends that excess sand generated from the excavation and placement of rock revetment be used to cover the rock to blend it into the surroundings. The County also has proposed covering the rock revetment with sand as a measure to mitigate the placement of hard armoring along the shoreline ([Exhibit 3](#)). The Commission thus requires this sand/dune camouflage measure with both **Special Condition 1-g** (Revised Final Plans/Revetment Coverage) and **Special Condition 7** (Future Maintenance). These conditions require native beach sand be placed atop the revetment/rocks seaward of the road (both during initial construction and during future maintenance) to create a soil “cap,” and further requires the cap be revegetated with native plants with the objective of blending the revetment/rocks seaward of the road to make the area appear more natural.

The visual impact assessment also recommends the following additional measures to avoid or minimize the project’s visual impacts:

1. Minimization Measure VIS-1: Use Native Species for Erosion Control Seed Mix. Exposed soil surfaces that are not subject to paving will be seeded in

accordance with Caltrans standards regarding erosion control. The seed mix used would only include California native plants. A native grass and forb seed mix would be used in areas disturbed that are on the perimeter of the proposed work area.

2. Minimization Measure VIS-2: Vegetation Preservation. Vegetation clearing would only occur within the delineated project boundaries in an effort to minimize the impacts. ... It is anticipated that little to no tree removal would be required.
3. Minimization Measure VIS-3: Limiting Construction Work Hours. Construction will only occur during daytime hours Monday through Saturday. No construction lighting is proposed for this project.

The Commission agrees these proposed measures will minimize the project's visual impacts, and as such, **Special Condition 1 and 2** are imposed to ensure these measures are integrated into final revised plans and construction plan documents required to be submitted to the Executive Director for review and approval.

Although the proposed measures described above are appropriate, they do not address the feasible removal of existing non-natural structures and materials on and along the roadway and County park lands that are either no longer needed and/or were never permitted to begin with, as summarized above (e.g., the historic landmark cross,⁴¹ defunct utility poles, k-rails on the sand, and sand berms constructed from past unpermitted maintenance activities). The presence of these non-natural features in this otherwise open, scenic, natural landscape degrades the visual quality of this area. The removal of these structures will restore and enhance the visual quality of the area and further minimize the project's visual impacts. Thus, **Special Condition 1-d** requires revised final plans to include provisions for removal of these structures.

If done properly, public views and visual resources will ultimately be enhanced by the project through removal of defunct structures and materials (e.g., utility pole and remnants of destroyed agricultural structure at the north end of the project area) and enhancement of the public viewshed by elevating the roadway by up to 10 feet. Regular sand placements, both initially during construction and to the extent feasible during routine maintenance of the access ramp, will help to minimize erosion, maximize the natural sandy beach area, cover the armoring, and maintain and enhance the overall aesthetic quality of the area. Short-term negative impacts to visual resources, due to construction activities, will be outweighed by the long-term benefits described above.

Toward this end, the project needs to be designed and constructed in a way that is sensitive to the natural environment, including requiring the use of native plants as proposed to help ensure appropriately blending of the authorized development into the shoreline aesthetic and improve public views. In addition, all publicly visible development needs to be sited, designed, colored, screened, and camouflaged (including making

⁴¹ As previously mentioned, the cross was relocated to the site in 2017 (without the benefit of a CDP) from its previous siting on nearby eroding bluffs. The cross is within the project construction area and must be moved to undertake the project. The County has stated its intent to move the cross to the Ferndale Fairgrounds, 5 miles to the east (outside of the coastal zone).

maximum use of natural landscaping to the maximum extent feasible) to maximize coastal view protection and minimize visual intrusion, including through use of materials appropriate to the shoreline context that blend with the natural environment and existing improvements in the area. To this end, **Special Condition 1-e** requires submittal of Final Signage Plans that identify all signs and any other project elements that will be used to facilitate, manage, and provide public access to and through the approved project and to ensure that any such features are planned, sited, and designed to minimize their visibility in public views and blend with and be subordinate to the natural setting as much as possible (including minimizing the number of signs, using natural materials and earth tone colors as feasible, etc.). In addition, no lighting is proposed or authorized as part of the project (**Special Condition 1-c**).

Per **Special Condition 6**, the applicant will also be required to ensure the armoring structure is monitored and adapted, which in turn will ensure impacts to the beach's visual quality are avoided and reduced where possible. Both special conditions will help to minimize the negative visual elements commonly attributed to shoreline armoring in general. Further, in order to assure that the short-term visual impacts from construction are avoided, lessened, and mitigated to the extent possible, **Special Condition 2** requires the applicant to submit a Construction Plan that limits staging and construction areas, as well as construction timing, and sets required construction best management practices in order to preserve the visual qualities of the area during construction periods.

On balance, and as conditioned, the proposed development will protect and improve visual resources and thus can be found consistent with the Coastal Act public view provisions.

K. Violation

As described earlier, violations of the Coastal Act exist at the subject site including, but not necessarily limited to, placement of a historic landmark cross on the sandy beach on the County beach park property (moved to the site in 2017), placement of k-rails on sandy beach areas, road and park maintenance involving grading and construction of elevated sand berms on sandy beach areas along/adjacent to the road, and erection of fencing on County and adjacent properties, all without the benefit of a CDP. The proposed project includes removal of the unpermitted development and other defunct structures and debris at the site (**Special Condition 1-d**). Thus, issuance of the CDP and the subsequent performance of the development authorized by the permit in compliance with all of the terms and conditions of the permit will result in resolution of the violations described above going forward.

Commission review and action on this CDP application does not constitute a waiver of any legal action with regard to these violations (or any other violations), nor does it constitute an implied statement of the Commission's position regarding the legality of the development undertaken on the subject site without a CDP, or of any other development, other than the development approved herein. In fact, approval of this CDP is possible only because of the terms and conditions of the CDP, and the applicant's presumed subsequent compliance with said terms and conditions, and failure to comply with these terms and conditions in conjunction with the exercise of the CDP would also constitute a violation of the CDP and of the Coastal Act. Accordingly, the applicant remains subject to enforcement action just as it was prior to this permit approval for engaging in unpermitted development.

L. Indemnification

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 pending CDP application in the event that the Commission's action is challenged by a party other than the County. Therefore, consistent with section 30620(c), the Commission imposes **Special Condition 16** 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 County challenging the approval or issuance of this CDP, or challenging any other aspect of its implementation, including with respect to condition compliance efforts.

M. Conflict Resolution

Applicable Coastal Act Provisions

As indicated previously, the standard of review for the Commission's decision on a coastal development permit in the Commission's retained jurisdiction is whether the proposed project is consistent with the Chapter 3 policies of the Coastal Act. In general, a proposal must be consistent with all relevant policies to be approved. If a proposal is inconsistent with one or more policies, it normally must be denied or conditioned to make it consistent with all relevant policies.

However, the Legislature recognized through Coastal Act sections 30007.5 and 30200(b) that conflicts can occur among those policies. It therefore declared that when the Commission identifies a conflict among the policies of Chapter 3, the conflict is to be resolved "in a manner which on balance is the most protective of significant coastal resources," pursuant to Coastal Act section 30007.5.

Section 30007.5. *The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.*

Section 30200(b). *Where the commission or any local government in implementing the provisions of this division identifies a conflict between the policies of this chapter, Section 30007.5 shall be utilized to resolve the conflict and the resolution of such conflicts shall be supported by appropriate findings setting forth the basis for the resolution of identified policy conflicts.*

This approach is generally referred to as the "balancing approach to conflict resolution." Balancing allows the Commission to approve proposals that conflict with one or more Chapter 3 policies, based on a conflict among the Chapter 3 policies as applied to the proposal before the Commission. Thus, the first step in invoking the balancing approach is to identify a conflict between applicable Chapter 3 policies as they relate to the project. To

be clear, however, the fact that a proposal is consistent with one Chapter 3 policy and inconsistent with another policy does not necessarily result in such a conflict. In fact, virtually every proposal will be consistent with some Chapter 3 policy, and almost no project would violate every such provision. Put another way, a proposal does not present a conflict between two statutory directives simply because it violates some policies and not others.

In order to invoke conflict resolution, the Commission must find that, although approval of a proposal would be inconsistent with a Chapter 3 policy, denial of such proposal based on that inconsistency would result in coastal zone effects that are inconsistent with some other Chapter 3 policy. In most cases, denial of a proposal will not lead to any coastal resource effects at all because it will simply maintain the status quo.

However, in some cases such denial can result in coastal resource effects that are inconsistent with a Chapter 3 policy in that some Chapter 3 policies, rather than prohibiting a certain type of development, affirmatively mandate the protection and enhancement of coastal resources.⁴² If there is ongoing degradation of one of these resources, and a proposal would cause the cessation of that degradation, then denial would result in coastal resource effects (in the form of the continuation of the degradation) inconsistent with the applicable policy. Thus, the only way that a true conflict can exist is if: (1) the proposal will stop some ongoing coastal resource degradation, and (2) there is a Chapter 3 provision requiring that the resource being degraded is protected and/or enhanced. Only then is the denial option rendered problematic because of its failure to fulfill the Commission's protective mandate, and only then can the Commission invoke the Coastal Act's conflict resolution provisions.

With respect to the second of those two requirements, though, there are relatively few Chapter 3 provisions that include such an affirmative mandate to enhance a coastal resource. Moreover, because the Commission's role is generally a reactive one, responding to proposed development rather than affirmatively seeking out ways to protect resources, even provisions that are phrased as affirmative mandates to protect resources more often function as prohibitions.⁴³ Denial of a project cannot result in a coastal resource effect that is inconsistent with a prohibition on a certain type of development. As a result, there are relatively few Coastal Act policies that can serve as a basis for a conflict.

⁴² See, for example, sections 30210 ("maximum access...and recreational opportunities shall be provided"), 30220 ("Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses"), 30230 ("Marine resources shall be maintained [and] enhanced"), and 30253 (Development shall "Minimize risks to life and property in areas of high geologic, flood, and fire hazard" and "(a)ssure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site").

⁴³ For example, section 30240's requirement that environmentally sensitive habitat areas "shall be protected against any significant disruption of habitat values" generally functions as a prohibition against allowing such disruptive development, and its statement that "only uses dependent on those resources shall be allowed within those areas" is a prohibition against allowing non-resource-dependent uses within these areas. Similarly, section 30251's requirement to protect "scenic and visual qualities of coastal areas" generally functions as a prohibition against allowing development that would degrade those qualities. Section 30253 begins by stating that new development shall minimize risks to life and property in certain areas, but that usually requires the Commission to condition projects to ensure that they are not unsafe. Even section 30220, an affirmative mandate, can be seen more as a prohibition against allowing non-water-oriented recreational uses (or water-oriented recreational uses that could be provided at inland water areas) in coastal areas suited for such activities.

Similarly, denial of a proposal is not inconsistent with Chapter 3 and thus does not present a conflict simply because the proposal would be less inconsistent with a Chapter 3 policy than some alternative project would be, even if approval of the proposal would be the only way in which the Commission could prevent the more inconsistent alternative from occurring. For denial of a proposal to be inconsistent with a Chapter 3 policy, the proposal must produce tangible, necessary enhancements in resource values over existing conditions, not over the conditions that would be created by a hypothetical alternative. In addition, the proposal must be fully consistent with the Chapter 3 policy requiring resource enhancement, not simply less inconsistent with that than the hypothetical alternative proposal would be. If the Commission were to interpret the conflict resolution provisions otherwise, then any proposal, no matter how inconsistent with Chapter 3, that offered even the smallest, incremental improvement over a hypothetical alternative proposal would necessarily result in a conflict that would justify a balancing approach. The Commission concludes that the Coastal Act's conflict resolution provisions were not intended to apply based on an analysis of different potential levels of compliance with individual provisions or to balance a proposal against a hypothetical alternative.

In addition, if a proposal is inconsistent with at least one Chapter 3 policy, and the essence of that proposal does not result in the cessation of ongoing degradation of a resource the Commission is charged with enhancing, the proposal's proponent cannot "create a conflict" by adding on an essentially independent component that does remedy ongoing resource degradation or enhance some resource. The benefits of a project must be inherent in the essential nature of the project. If the rule were to be otherwise, such proponents could regularly "create conflicts" and then demand balancing of harms and benefits simply by offering unrelated "carrots" in association with otherwise unapprovable proposals. The balancing provisions of the Coastal Act could not have been intended to foster such an artificial and manipulatable process. The balancing provisions were not designed as an invitation to enter into a bartering game in which proponents offer amenities in exchange for approval of their proposals.

Finally, a project does not present a conflict among Chapter 3 policies if there is at least one feasible alternative that would accomplish the essential purpose of the proposal without violating any Chapter 3 policies. Thus, an alternatives analysis is a condition precedent to invocation of conflict resolution. If there are alternatives available that are consistent with all the relevant Chapter 3 policies, then the proposal does not create a true conflict among Chapter 3 policies.

In sum, in order to invoke conflict resolution, the Commission must conclude all of the following with respect to the proposal before it: (1) approval of the proposal would be inconsistent with at least one of the policies listed in Chapter 3; (2) denial of the proposal would result in coastal resource effects that are inconsistent with at least one other Chapter 3 provision by allowing continuing degradation of a resource the Commission is charged with protecting and/or enhancing; (3) the proposal results in tangible, necessary resource enhancement over the current state, rather than an improvement over some hypothetical alternative proposal; (4) the proposal is fully consistent with the resource enhancement mandate that requires the sort of benefits that the proposal provides; (5) the benefits of the proposal are a function of the very essence of the proposal, rather than an ancillary component appended to the proposal's description in order to "create a conflict"; (6) the benefits of the project are not independently required by some other body of law; and (7)

there are no feasible alternatives that would achieve the objectives of the proposal without violating any Chapter 3 provisions.⁴⁴

Conflict Resolution Analysis

The Commission finds that the proposal meets all seven of the above-stated tests and thus presents a true conflict between Chapter 3 policies. As noted previously in this report, the proposed project is inconsistent with Coastal Act sections 30240, 30235, and 30253 (and by extension other coastal resource policies implicated by the coastal resource degradation that would accrue due to the proposed armoring), thus meeting the first test.

This proposal meets the second test because the Commission's denial of the proposal would result in complete loss of daily, year around public beach access to this portion the Humboldt coast (area south of the Eel River to Cape Mendocino), including the County beach park, the surrounding beach and dunes areas of the southern Eel River spit, and the Lost Coast Headlands south of the County park. These access points are incredibly important not only to residents of and visitors to Ferndale and other inland cities and surrounding unincorporated lands but also to the Bear River Band of the Rohnerville Rancheria (see Finding IV-I above). Therefore, denial of the project is inconsistent with the affirmative protection policies of section 30210 requiring maximize public access and recreational opportunities.⁴⁵

Likewise, denial of the project would also be inconsistent with the affirmative protection policy of section 30213, which requires protection of lower cost visitor and recreational facilities. Centerville Road provides essential access to free shoreline recreational opportunities, including beaches, coastal trails, and viewing areas both at Centerville Beach County Park and the Lost Coast Headlands, all of which host thousands of visitors annually. Without this segment of roadway functioning safely, these areas would no longer be accessible to the public without prolonged closure and reconstruction of the road (assuming the County can sufficiently finance this reconstruction). Accessing beaches south of Lost Coast Headlands requires a 50-minute driving detour from this part of the coast inland through Ferndale and south along Mattole Road over the hills to beaches along the coastline south of Cape Mendocino. As discussed above, in addition to providing the means to directly access free public beaches at this stretch of the coast, this segment

⁴⁴ As an example, the Commission applied conflict resolution to a 1999 proposal involving the placement of fill in a farmed wetland area in order to construct a barn atop the fill and to install water pollution control facilities on a dairy farm in Humboldt County (CDP 1-98-103, O'Neil). In that case, one of the main objectives of the project was to create a more protective refuge for cows during the rainy season. However, another primary objective was to improve water quality by enabling the better management of cow waste. In short, the use of the site was degrading water quality, and the barn enabled consolidation and containment of manure, thus providing the first of the four necessary components of an effective waste management system. Although the project was inconsistent with section 30233, which limits allowable fill of wetlands to seven enumerated purposes, the project also enabled the cessation of ongoing resource degradation. The project was fully consistent with section 30231's mandate to maintain coastal water quality and offered to tangibly enhance water quality over existing conditions, not just some hypothetical alternative. Thus, denial would have resulted in impacts that would have been inconsistent with section 30231's mandate for improved water quality. Moreover, it was the very essence of the project, not an ancillary amenity offered as a trade-off, that was both inconsistent with certain Chapter 3 provisions and yet also provided benefits. Finally, there were no alternatives identified that were both feasible and less environmentally damaging.

⁴⁵ Denial also would interfere with the County's obligation to maintain Centerville Road, a dead-end road, for the benefit of ingress/egress to the ten or so private properties located along or off the road south of the project site.

of Centerville Road itself is a lower cost visitor and recreational facility for those who wish to drive and sightsee for pleasure along this highly scenic coastal area (e.g., as the site is just a 10-minute drive from inland Ferndale, a popular visitor destination area, visitors wishing to view the ocean drive to Centerville Beach, which is their first and primary ocean-viewing area available in the entire region). Denial of the project would result in the frequent prolonged closure of this section of Centerville Road, making this shoreline and the coast in this part of Humboldt County (between the Eel River and Cape Mendocino – a more than 20-mile-long stretch) inaccessible to the public during the closures. In addition, if the public were to lose regular, year around access to this shoreline and section of coast, a coastal area and oceanfront land suitable for recreational use would not be protected, inconsistent with sections 30220 and 30221. Therefore, if the project were denied, virtually all public access to this part of the coast would be lost on an ongoing basis due to road closure events, inconsistent with the affirmative protection policies of sections 30210, 30213, 30220 and 30221. Thus, the proposed project would redevelop and protect this important infrastructure, and as such, approval of the project would protect and enhance public access and recreation, consistent with these provisions of the Coastal Act.

As mentioned in the section on Coastal Hazards, portions of Centerville Road south of the subject project area are also vulnerable to continued cliff retreat with sections of road less than 25 ft from the approximate cliff edge and with observed average cliff retreat rates 4.8 ft/yr in the area. A very simple analysis of vulnerability suggests that the portions of the road closest to the cliff edge south of the project area could be threatened by cliff retreat within approximately five years. This suggests that even a denial of the project could result in damage to the road and at least temporary closure while measures are taken to either realign or otherwise reopen the road to address anticipated cliff retreat and therefore the same impacts to public access mentioned above. This issue is addressed through the imposition of **Special Condition 5**, which requires engineering analysis of future vulnerability to the current road alignment and an Adaptation Planning Study to identify alternative inland alignments to avoid risk and maximize protection of coastal resources.

The third step of conflict resolution requires that the proposal results in a tangible, necessary resource enhancement over the current state. As previously discussed, in this case, the project will provide safe public access to the coast along this highly scenic portion of Centerville Road until the longer-term realignment plan for the road is feasible to achieve. This safe public access with improved off-street parking over the next 20 years and restrictions on motorized vehicular access is a resource enhancement over the road being closed due to being damaged from storm-driven erosion and risks to public safety, and, in turn, hundreds of acres of coastal recreational access areas being inaccessible to the public. The County will also be required to install the public recreational access amenities as part of the immediate project construction, which will lead to on-the-ground improvements in the near term. And with the requirement for the County to submit the comprehensive Public Access Management Plan (**Special Condition 10**) and Adaptation Planning Study (**Special Condition 5**), the project as mitigated will protect and provide for maximum public use and enjoyment of the coast in this area both in the near term and long term with managed retreat of facilities. Thus, the project as conditioned is consistent with the Coastal Act's public recreational access provisions and provides an actual tangible benefit in protecting those resources.

The fourth and fifth tests require that the proposal is fully consistent with the resource

enhancement mandate that requires the sort of benefits that the proposal provides and that the benefits of the proposal are a function of the proposal itself and not an ancillary component appended to the proposal description in order to create a conflict. Here, the project, if approved, would result in tangible resource enhancement over existing conditions. This is the case here for several reasons. First, as conditioned, the proposed development results in tangible public access and recreation enhancements to the site. This includes a new parking area (for 13 vehicles including ADA parking and a trailer-sized space), sidewalk, and beach access ramp that will accommodate beach wheelchair users. Additional public access amenities (e.g., as benches, picnic tables, overlook areas, etc.) also will be provided as feasible. All public recreational access areas and features will be available to the general public 24 hours a day free of charge and shall be maintained consistent with the approved Public Access Management Plan in a manner that maximizes public use and enjoyment. Only passive recreational uses and no motorized vehicular use will be allowed. And the County will provide a plan for long-term adaptation of the County access facilities within five years, including planning for future parking access, viewing areas, and a connecting trail to the beach as an initial step to adapt Centerville Road and the Centerville County Beach Park access facilities to long-term sea level rise and coastal hazards. Thus, the proposed project can be found consistent with other resource policies of the Coastal Act, as mitigated and conditioned, and will result in tangible resource enhancement over existing conditions. Finally, it passes the sixth test because the proposed project's benefits are not required by another agency under another body of law.

Finally, the project meets the final requirement for approval using conflict resolution as there are no feasible alternatives that would achieve the objectives of the project without violating any Chapter 3 policies. As discussed above, the County and the Commission considered alternatives for the proposed project including (1) "no project", (2) realigning/retreating the roadway inland, (3) vacating the roadway, (4) constructing a living shoreline/reconstructed dunes, (5) constructing a vertical seawall, (6) covering the revetment with sand, (7) constructing a project with a smaller footprint/vertical height, and (8) constructing a project with a longer design life able to withstand larger flood events (see above Coastal Hazard alternatives findings incorporated herein by reference). Other than the alternative involving constructing the project identical to the proposed project except burying the revetment with sand, which is feasible, ultimately proposed by the applicant ([Exhibit 3](#)), and required by Special Conditions 1-g and 7, none of the other alternatives were found to be feasible to timely remedy the ongoing, and prevent additional, loss of public access. Thus, while alternatives exist, none of the identified alternatives would be both feasible and fully consistent with all relevant Chapter 3 policies.

Therefore, in order to resolve the identified conflict, the Commission must take an action which is, on balance, the most protective of significant coastal resources. Such a determination is a discretionary decision for the Commission, where the pros and cons for various outcomes can be considered and applied. In this case, the Commission finds that the impacts on coastal resources from not implementing the project, as conditioned, would be more significant than the project's potential adverse effects from allowing development as conditioned. Denying the proposed project because of its inconsistencies with sections 30240, 30235, and 30253 (and related resource protection policies) would adversely impact public recreational access. In contrast, approving the development as conditioned would lead to a myriad of benefits, including development of significant public access enhancements, habitat enhancements, and developing a long-term adaptation plan to

manage the retreat of public facilities that provide important low cost coastal recreational access opportunities.

Finally, the test for conflict resolution approval under section 30007.5 is not for the project to be more protective of coastal resources, rather it must be most protective of significant coastal resources. In order for that finding to be made, the adverse coastal resource impacts caused by the project have to be avoided, minimized, and mitigated to the maximum feasible extent. As such, and only in a conflict resolution context, this approval includes requirements for a series of public recreational access and public view mitigations as a means of offsetting the impacts associated with the approved project. Specifically, the approval includes (1) authorization for continued use of Centerville Road through the project site, affording public recreational access to Centerville Beach and Lost Coast Headlands while the County pursues an inland retreat and realignment alternative; (2) an expansion of off street parking and additional amenities to maximize the public's use and enjoyment of the area; (3) the required development of a comprehensive Public Access Management Plan for Centerville Beach County Park that provides for gates and barriers to prevent motorized vehicular access to this beach (which conflicts with safe public access and has contributed to habitat and resource degradation in the area for many years) while providing access for beach wheelchairs and pedestrians; (4) sufficient habitat mitigation to compensate for ESHA impacts; (5) assumption of risk; and (6) a requirement to return to the Commission in 20 years to authorize the removal of the armoring and implementation of a managed retreat solution (see Special Conditions 1, 4, 5, 6, 9, 10, 11, and 12).

As so modified, and by applying the Coastal Act's conflict resolution provisions as described above, the proposed project as conditioned is most protective of significant coastal resources and can be found consistent with the Coastal Act when applying conflict resolution.

N. California Environmental Quality Act (CEQA)

CEQA section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. Humboldt County Public Works, acting as the CEQA lead agency, determined that the proposed project was exempt from CEQA (section 15301(c) Class 1, Existing Facilities, and section 15302, Replacement and Reconstruction) in August of 2022.

The Commission's review, analysis, and decision-making process for CDPs and CDP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR section 15251(C)). Accordingly, in fulfilling that review, this report has analyzed the relevant coastal resource issues with the proposal and has identified appropriate and necessary modifications to address adverse impacts to such coastal resources. All above findings are incorporated herein in their entirety by reference.

Accordingly, the Commission finds that only as modified and conditioned herein will the proposed project avoid significant adverse effects on the environment within the meaning of CEQA. As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental

effects that approval of the proposed project, as modified, would have on the environment within the meaning of CEQA. If so modified, the proposed project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA section 21080.5(d)(2)(A).

5. APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

Application File for CDP 1-24-1028 (Humboldt County Public Works Dept.).

Adopted Findings for CD-0004-24 (Natural Resources Conservation Service) and CDP 1-17-0328 (Russ Ranch & Timber, LLC & The Wildlands Conservancy) and post-hearing condition compliance submittals to date.

Adopted Findings for CDPs 2-21-0912 (SFPUC Ocean Beach Armoring) and 3-24-0747 (Caltrans Mud Creek Landslide).

California Coastal Commission, 2021. Critical Infrastructure at Risk: Sea Level Rise Planning Guidance for California's Coastal Zone. Adopted by the California Coastal Commission on November 17, 2021.

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California Sea Level Rise Guidance: 2024 Science and Policy Update. 2024. California Sea Level Rise Science Task Force, California Ocean Protection Council, California Ocean Science Trust.

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Northern Hydrology & Engineering (NHE), 2024. Eureka Littoral Cell Updated Tributary Sand Loads and Sand Budget. Prepared for Friends of the Dunes and California State Coastal Conservancy. April 2024.

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