

PUBLIC COMMENTS RE: LCP CONSISTENCY OF CDP 3-20

March 24, 2021

Introduction:

The following policies from the Coastal General Plan (CGP), which is one half of the City of Fort Bragg's Certified Local Coastal Program (LCP) along with the Coastal Land Use and Development Code (CLUDC), are relevant to this project and apply to Coastal Development Permit (CDP) 3-20. (There may be other applicable CGP policies, including those discussed in the staff report but not discussed here.) The City's LCP mandates that all projects proposed within the Coastal Zone, including those requiring a CDP, are consistent with all applicable CGP policies.¹ This is different than normal general plan consistency analysis, which only requires a proposed project be consistent with the applicable general plan overall rather than requiring consistency with all applicable policies. The staff report omits numerous applicable CGP policies (see below) and the project is not consistent with many of the applicable policies that have been omitted from the analysis.

Because the project is not consistent with applicable CGP policies, the City must add additional special conditions to CDP 3-20 before potentially approving it, in order to make the project consistent with all applicable provisions of the CGP and CLUDC and to make the required findings. Luckily, that should be possible with only a few additional special conditions. (Specific recommendations for additional special conditions relating to particular CGP policies are discussed below.) It is also appropriate that Caltrans fund these additional improvements as part of the scope of this project rather than leaving them to future development along SR1 because of their mandate to provide adequate infrastructure that complies with the ADA as part of their 2010 legal settlement.

Consistency & Conformity Analysis:

3. PUBLIC FACILITIES ELEMENT

Goal PF-1 **Ensure that new development is served by adequate public services and infrastructure.**

Policy PF-1.1: All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.

¹ See, e.g., General Finding No. 1, "The proposed project is consistent with ... all other provisions of the Coastal General Plan, [and] Coastal Land Use and Development Code (CLUDC)"

Program PF-1.1.1: New development shall be responsible for any improvements or extensions of infrastructure or the service capacity necessary to serve the development.

Consistency: This project involves new development, as defined in the Coastal Act and the City's LCP, in the form of new sidewalk segments and associated retaining walls and drainage infrastructure as well as repair and replacement of existing pedestrian infrastructure. However, this new development is disconnected from missing or deficient sections of similar infrastructure within the project area, including missing sidewalk segments and substandard conditions for some existing sidewalk sections along the west side of SR1. In order for the project to become consistent with Policy PF-1.1, it must be conditioned to ensure that additional connecting sidewalk infrastructure is added to the remaining segments of the right-of-way that do not contain a complete sidewalk system or which contain existing sidewalks with substandard conditions.

4. CONSERVATION, OPEN SPACE, ENERGY, AND PARKS ELEMENT

Goal OS-1 Preserve and Enhance the City's Environmentally Sensitive Habitat Areas

Policy OS-1.7: Development in areas adjacent to Environmentally Sensitive Habitat Areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Consistency: This project appears to be consistent with Policy OS-1.7 for many of the reasons discussed in the staff report concerning other CGP policies (see, e.g., Staff report pp. 6-9 discussing Policies C-2.12, OS-5.1, OS-9.1, and OS-9.2).

Policy OS-1.12: Drainage and Erosion Control Plan. Permissible development on all properties containing environmentally sensitive habitat, including but not limited to those areas identified as ESHA Habitat Areas on Map OS-1, shall prepare a drainage and erosion control plan for approval by the City. The plan shall include measures to minimize erosion during project construction, and to minimize erosive runoff from the site after the project is completed. Any changes in runoff volume, velocity, or duration that may affect sensitive plant and animal populations, habitats, or buffer areas for those populations or habitats, shall be reviewed by a qualified biologist to ensure that there will not be adverse hydrologic or, erosion, or sedimentation impacts on sensitive species or habitats. Mitigation measures shall be identified and adopted to minimize potential adverse runoff impacts. All projects resulting in new runoff to any streams in the City or to the ocean shall be designed to minimize the transport of pollutants from roads, parking lots, and other impermeable surfaces of the project.

Consistency: This project appears consistent with Policy OS-1.12 as described in the staff report.

Policy OS-1.16: Biological Report Required.

- a) Permit applications for development within or adjacent to Environmentally Sensitive Habitat Areas including areas identified in Map OS-1 or other sites identified by City staff which have the possibility of containing environmentally sensitive habitat shall include a biological report prepared by a qualified biologist which identifies the resources and provides recommended measures to ensure that the requirements of the Coastal Act and the City of Fort Bragg's Local Coastal Program are fully met. The required content of the biological report is specified in the Coastal Land Use and Development Code.
- b) Submittal of Biological Reports. These biological reports shall be reviewed by the City and approving agencies. The biological reports described above shall be submitted prior to filing as complete a coastal development permit application and may also be submitted as a part of any environmental documentation required pursuant to CEQA. The selection of the professional preparing the report shall be made or approved by the City or the agency approving the permit and paid for by the applicant.
- c) Biological reports shall contain mitigating measures meeting the following minimum standards:
 - i. They are specific, implementable, and, wherever feasible, quantifiable.
 - ii. They result in the maximum feasible protection, habitat restoration and enhancement of sensitive environmental resources. Habitat restoration and enhancement shall be required wherever feasible, in addition to the applicable baseline standard of either avoiding or minimizing significant habitat disruption.
 - iii. They are incorporated into a Mitigation Monitoring Program; and
 - iv. They include substantial information and analysis to support a finding that there is no feasible, less environmentally damaging alternative.

Consistency: This project appears consistent with Policy OS-1.16 because a biological report meeting these content requirements was prepared and included in the application materials.

Goal OS-2 Preserve and enhance the City's other natural resources.

Policy OS-2.1: Riparian Habitat: Prevent development from destroying riparian habitat to the maximum feasible extent. Preserve, enhance, and restore existing riparian habitat in new development unless the preservation will prevent the establishment of all permitted uses on the property.

Consistency: This project appears to be consistent with Policy OS-2.1 for many of the reasons discussed in the staff report concerning Policy C-2.12. However, the project likely needs to be conditioned to require additional sidewalk or other pedestrian improvements adjacent to the riparian habitat ESHA that was identified in the Environmentally Sensitive Habitat Area Assessment for the Fort Bragg Americans with Disabilities Act Improvement project, dated October 2020 and prepared by Caltrans so the project's consistency with Policy C-2.12 may need to be reevaluated concerning any additional project components that may impact the riparian habitat. However, such impacts are unlikely because all additional work and improvements would occur within the SR1 right-of-way and outside the fenced area that provides an ESHA buffer area protecting the riparian habitat.

Goal OS-9 Improve water quality.

Policy OS-9.1²: Minimize Introduction of Pollutants. Development shall be designed and managed to minimize the introduction of pollutants into coastal waters (including the ocean, estuaries, wetlands, rivers, streams, and lakes) to the extent feasible.

Consistency: This project appears consistent with Policy OS-9.1 as described in the staff report.

Policy OS-9.2³: Minimize Increases in Stormwater Runoff. Development shall be designed and managed to minimize post-project increases in stormwater runoff volume and peak runoff rate, to the extent feasible, to avoid adverse impacts to coastal waters.

Consistency: This project appears consistent with Policy OS-9.2 as described in the staff report.

Policy OS-9.3: Maintain Biological Productivity and Quality of Coastal Waters. Development shall be designed and managed to maintain, and restore where feasible, the biological productivity and quality of coastal waters, consistent with sections 30230, 30231, and other relevant sections of the California Coastal Act. The Coastal Act sections set forth below [sic] are incorporated herein as policies of the Land Use Plan.

Consistency: This project appears to be consistent with Policy OS-9.3 for many of the reasons discussed in the staff report concerning other Policies OS-9.1 and OS-9.2.

² The staff report identified this policy as applicable to the project and recommended that the Planning Commission find that the project is consistent in part by requiring Special Condition 5. (See Staff report pp. 8-9.)

³ The staff report identified this policy as applicable to the project and recommended that the Planning Commission find that the project is consistent in part by requiring Special Condition 5. (See Staff report p. 9.)

Goal OS-10 Improve water quality through the Selection and Design of Appropriate Best Management Practices (BMPs)

Policy OS-10.1: Construction-phase Stormwater Runoff Plan. All development that requires a grading permit shall submit a construction-phase erosion, sedimentation, and polluted runoff control plan. This plan shall evaluate potential construction-phase impacts to water quality and coastal waters, and shall specify temporary Best Management Practices (BMPs) that will be implemented to minimize erosion and sedimentation during construction, and prevent contamination of runoff by construction chemicals and materials.

Consistency: This project appears to be consistent with Policy OS-10.1 because the application materials include the necessary stormwater plans and BMPs.

Policy OS-10.2: Post-Construction Stormwater Runoff Plan. All development that has the potential to adversely affect water quality shall submit a post-construction polluted runoff control plan (“Runoff Mitigation Plan”). This plan shall specify long-term Site Design, Source Control, and, if necessary, Treatment Control BMPs that will be implemented to minimize stormwater pollution and erosive runoff after construction, and shall include the monitoring and maintenance plans for these BMPs.

Consistency: This project appears to be consistent with Policy OS-10.2 because the application materials include the necessary stormwater plans and BMPs.

Goal OS-11 Improve water quality through Site Design and Source Control BMPs

Development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating BMPs designed to ensure the following:

Policy OS-11.1: Use Integrated Management Practices in Site Design. The city shall require, where appropriate and feasible, the use of small-scale integrated management practices (e.g., Low Impact Development techniques) designed to maintain the site’s natural hydrology by minimizing impervious surfaces and infiltrating stormwater close to its source (e.g., vegetated swales, permeable pavements, and infiltration of rooftop runoff).

Consistency: This project does not appear to be consistent with Policy OS-11.1 because the project does not include low-impact development techniques that would be appropriate and feasible in some areas. For example, the project does not minimize impervious surfaces for new or replacement sidewalk segments by incorporating permeable paving materials or vegetated swales for stormwater drainage. Instead, the project appears to propose impermeable sidewalk materials will direct runoff into the City’s storm drain system that drains into Coastal Waters rather than being infiltrated within or adjacent to the SR1 right-of-way. A special condition should be added to require permeable pavement materials for all new or reconstructed sidewalk segments as well as installation of bioretention swales in or adjacent to the SR1 right-of-way rather than new connections to the City’s storm drain infrastructure.

Policy OS-11.2: Preserve Functions of Natural Drainage Systems. Development shall be sited and designed to preserve the infiltration, purification, detention, and retention functions of natural drainage systems that exist on the site, where appropriate and feasible. Drainage shall be conveyed from the developed area of the site in a non-erosive manner.

Consistency: This project does not appear to be consistent with Policy OS-11.2 for the same reasons it is not consistent with Policy OS-11.1 (above). A special condition should be added to require installation of bioretention swales in or adjacent to the SR1 right-of-way rather than new connections to the City's storm drain infrastructure.

Policy OS-11.5: Divert Stormwater Runoff into Permeable Areas. Development that creates new impervious surfaces shall divert stormwater runoff flowing from these surfaces into permeable areas, where appropriate and feasible, to enhance on-site stormwater infiltration capacity.

Consistency: This project does not appear to be consistent with Policy OS-11.5 for the same reasons it is not consistent with Policies OS-11.1 and OS-11.2 (above). A special condition should be added to require permeable pavement materials for all new or reconstructed sidewalk segments as well as installation of bioretention swales in or adjacent to the SR1 right-of-way rather than new connections to the City's storm drain infrastructure.

Policy OS-11.6: Use Permeable Pavement Materials. To enhance stormwater infiltration capacity, development shall use permeable pavement materials and techniques (e.g., paving blocks, porous asphalt, permeable concrete, and reinforced grass or gravel), where appropriate and feasible. Permeable pavements shall be designed so that stormwater infiltrates into the underlying soil, to enhance groundwater recharge and provide filtration of pollutants. All permeable pavement that is not effective in infiltrating as designed will be replaced with effective stormwater detention and infiltration methods.

Consistency: This project does not appear to be consistent with Policy OS-11.6 for the same reasons it is not consistent with Policy OS-11.1 (above). A special condition should be added to require the use of permeable pavement materials for all new or reconstructed sidewalk segments.

Policy OS-11.9: Provide Storm Drain Inlet Markers. Markers or stenciling shall be required for all storm drain inlets constructed or modified by development, to discourage dumping and other illicit discharges into the storm drain system.

Consistency: This project does not appear to be consistent with Policy OS-11.9 unless it is conditioned to require storm drain inlet markers at all storm drains (unless this is incorporated into other requirements that are referenced). A special condition should be added to require storm drain inlet markers for all existing and new storm drains within the project area.

Goal OS-19 Provide a comprehensive trail system in Fort Bragg.

Policy OS-19.3: Require new development to provide direct pedestrian connections, such as sidewalks, trails, and other rights-of-way to the existing and planned network of parks and trails wherever feasible.

Program OS-19.3.1: Consider the access needs of a variety of users, including school-age children, the elderly, and those with handicaps or disabilities when developing trails and recreation facilities.

Program OS-19.3.2: Support efforts to extend the existing trail from the end of Cypress Street east adjacent to the Georgia-Pacific haul road.

Consistency: This project does not appear to be consistent with Policy OS-19.3 because the project does not include direct pedestrian connections to the City's Coastal Trail and park in the form of ADA-compliant sidewalks in all locations along SR1 between Noyo Point Road and Elm Street. The City has access points to the Coastal Trail at Noyo Point Road, W. Cypress Street, W. Alder Street, and W. Elm Street. There are direct pedestrian connections in some but not all of these access points. In particular, there are no direct pedestrian connections, let alone ADA-compliant pedestrian connections to Noyo Point Road and W. Cypress Street connections because there are no existing or proposed sidewalks along the west side of the SR1 right-of-way between Noyo Point Road and Maple Street. (The existing sidewalk between Maple and Oak Streets is not proposed to be replaced even though it is not ADA-compliant.) A special condition should be added to require direct pedestrian connections from SR1 to the City's Coastal Trail access points at Noyo Point Road and W. Cypress Street in the form of additional sidewalk segments and replacement of the substandard sidewalk section between Maple and Oak Streets.

5. CIRCULATION ELEMENT

Goal C-2 Develop and manage a roadway system that accommodates future growth and maintains acceptable Levels of Service while considering the other policies and programs of the Coastal General Plan.

Policy C-2.2⁴: Improvements to major road intersections for public safety or increased vehicle capacity shall be permitted, as necessary, in existing developed areas and where such improvements are sited and designed to be consistent with all policies of the LCP.

Consistency: This project appears consistent with Policy C-2.2 as described in the staff report.

⁴ The staff report identified this policy as applicable to the project and recommended that the Planning Commission find that the project is consistent. (See Staff report p. 5.)

Policy C-2.8: Continuation of Streets: Require the continuation of streets and bicycle and pedestrian paths through new developments wherever possible.

Consistency: This project does not appear to be consistent with Policy C-2.8 for similar reasons it is not consistent with Policy OS-19.3 (above), including lacking continuous ADA-compliant sidewalks along the entire west side of the SR1 right-of-way between Noyo Point Road and Oak Street. A special condition should be added to require continuous pedestrian paths in the form of additional sidewalk segments on the west side of SR1 between Noyo Point Road and Maple Street, and replacement of the substandard sidewalk section between Maple and Oak Streets (or installation of crosswalks and a traffic-control signal at the intersection of SR1 and Maple Street).

9. Pedestrian Facilities

Most areas of Fort Bragg have sidewalks for pedestrians. There are, however, a number of residential streets which lack sidewalks, and substandard sidewalk facilities exist throughout the City. Better pedestrian access across Fort Bragg's bridges and along Main Street from the Noyo Bridge to the southern City limits and from Elm Street north is needed. New development must be served by adequate pedestrian facilities. In addition to the policies and programs listed below, see the Conservation, Open Space, and Parks Element regarding policies and programs recommended for increasing and improving the trail system within the Planning Area.

Goal C-9 Make it easier and safer for people to walk in Fort Bragg.

Policy C-9.1⁵: Provide Continuous Sidewalks: Provide a continuous system of sidewalks throughout the City.

Consistency: This project does not appear to be consistent with Policy C-9.1 for the same reasons it is not consistent with Policy C-2.8 (above). A special condition should be added to require continuous system of sidewalks along SR1 in the form of additional sidewalk segments on the west side of SR1 between Noyo Point Road and Maple Street, and replacement of the substandard sidewalk section between Maple and Oak Streets.

Policy C-9.2: Require Sidewalks. Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.

Program C-9.2.1: Consider implementing the following funding sources for the purpose of installing sidewalks in existing developed areas of the City:

- a) special benefit assessment districts; and/or

⁵ The staff report identified this policy as applicable to the project and recommended that the Planning Commission find that the project is consistent because the project "would contribute toward building a continuous system of sidewalks throughout the City." (See Staff report p. 7.) However, Policy C-9.1 does not require projects to merely contribute to a continuous system of sidewalks, it requires the City and relevant projects to "provide a continuous system of sidewalks throughout the City."

b) a low-interest revolving loan fund.

Consistency: This project does not appear to be consistent with Policy C-9.2 for the same reasons it is not consistent with Policies C-2.8 and C-9.1 (above). A special condition should be added to require continuous system of sidewalks along both sides of SR1, which is the City's major arterial street, in the form of additional sidewalk segments on the west side of SR1 between Noyo Point Road and Maple Street.

Policy C-9.3: Where feasible, incorporate pedestrian facilities into the design and construction of all road improvements.

Consistency: This project appears consistent with Policy C-9.3 as described in the staff report for other CGP policies and because it almost entirely consists of constructing pedestrian facilities.

Policy C-9.5: Pedestrian Paths: Develop a series of continuous pedestrian walkways throughout the commercial districts and residential neighborhoods.

Consistency: This project does not appear to be consistent with Policy C-9.5 for similar reasons it is not consistent with Policies OS-19.3 and C-9.1 (above), including lacking continuous ADA-compliant sidewalks along the entire west side of the SR1 right-of-way between Noyo Point Road and Oak Street. A special condition should be added to require continuous pedestrian paths in the form of additional sidewalk segments on the west side of SR1 between Noyo Point Road and Maple Street, and replacement of the substandard sidewalk section between Maple and Oak Streets (or installation of crosswalks and a traffic-control signal at the intersection of SR1 and Maple Street).

Policy C-9.6⁶: Ensure that pedestrian paths are sited to avoid wetlands and other environmentally sensitive areas.

Consistency: (See consistency analysis for Policy OS-2.1, above.)

11. Access for the Mobility Impaired

Providing transportation facilities accessible to persons who are mobility-impaired is essential. Approximately three percent of the population in Fort Bragg cannot use conventional public transit due to a disability. The Federal Americans with Disabilities Act of 1990 contains many requirements regarding removal of barriers for persons with disabilities.

⁶ The staff report identified this policy as applicable to the project and recommended that the Planning Commission find that the project is consistent. (See Staff report p. 7.) However, other CGP policies (e.g., Policy C-9.2, which is omitted from the analysis in the staff report and draft resolution) require this project to provide sidewalks along both sides of SR1 because it is an arterial street per the City's Circulation Element and the Coastal Act and LCP's definition of "development" is broad enough to include the other project activities. Adding sidewalks along the west side of SR1 adjacent to the identified ESHA to comply with the requirements of Policy C-9.2 may require further analysis concerning the consistency of those additional activities with Policy C-9.6.

Goal C-11 Provide mobility-impaired persons with access to transportation.

Policy C-11.2⁷:Handicapped Access. In conformance with State and Federal regulations, continue to review all projects for handicapped access and require the installation of curb cuts, ramps, and other improvements facilitating handicapped access.

Consistency: Although the purpose of this project is to improve pedestrian facilities along SR1 to bring it up to current applicable accessibility regulations, this project does not appear to be fully consistent with Policy C-11.2 for similar reasons it is not consistent with Policy OS-19.3 (above), including lacking continuous ADA-compliant sidewalks along the entire west side of the SR1 right-of-way between Noyo Point Road and Oak Street. A special condition should be added to require continuous pedestrian paths in the form of additional sidewalk segments on the west side of SR1 between Noyo Point Road and Maple Street, and replacement of the substandard sidewalk section between Maple and Oak Streets (or installation of crosswalks and a traffic-control signal at the intersection of SR1 and Maple Street).

⁷ The staff report identified this policy as applicable to the project and recommended that the Planning Commission find that the project is consistent because “The project proposes improvements to upgrade the subject location of SR 1 to current American with Disabilities Act (ADA) standards.” (See Staff report p. 7.) However, this project omits numerous improvements along the west side of SR1 that are necessary to fully comply with the requirements of the ADA as well as corollary California regulations, including sidewalk improvements along the west side of SR1 between Noyo Point Road and Oak Street.

MAR 24 2021

Memo

To: Fort Bragg Planning Commission

From: Access Fort Bragg

Date: March 24, 2021

Re: CDP 3-20, Caltrans ADA Improvement Project

Access Fort Bragg was formed to promote full and equal access to all programs, facilities, and services for all residents and visitors in our town and the surrounding areas, including those with differing levels of mobility and abilities. Access Fort Bragg is excited that the Caltrans ADA improvement project for Main Street will enhance and replace our current infrastructure. The scope and purpose of the project is to improve accessibility to Main Street (aka State Route One or SR1) between Highway 20 and Elm Street. Access Fort Bragg is also excited by the pending Caltrans project north of Elm Street that will similarly improve the Pudding Creek Bridge and looks forward to equivalent improvements to the Hare Creek Bridge south of town.

Access Fort Bragg supports the project under review tonight but we believe that it falls short of the project objectives of bringing the Main Street corridor up to current ADA standards and is not fully consistent with Fort Bragg's Local Coastal Program (LCP). That being said, Access Fort Bragg does not believe the Planning Commission should deny CDP 3-20. Instead, we encourage you to approve CDP 3-20 with additional special conditions that will actually bring the full Main Street corridor up to current ADA standards and bring the project into compliance with our LCP, including the Coastal General Plan. Access Fort Bragg recommends the following special conditions and encourages the Planning Commission to work with staff and develop specific language for these additional special conditions.

1. Require Caltrans to remove all existing impediments to a fully accessible and ADA compliant pedestrian path within the full length of the right-of-way between Highway 20 and Elm Street. This includes not just replacing existing non-compliant curb cuts with new curb cuts but also removing or relocating all obstructions within the right-of-way like signs and utility poles, which currently prevent pedestrians using wheelchairs or scooters from travelling along all of the sidewalk segments along Main Street.

2. Require Caltrans to add sidewalks to all portions of Main Street that do not currently have sidewalks on both sides of the street, which Fort Bragg classifies as an arterial street.
3. If it is not feasible to add sidewalks on both sides of Main Street for the entire length between Highway 20 and Elm Street (e.g., the west side between the Noyo Bridge and Maple Street), then require Caltrans to add crosswalks and signalized intersections to facilitate safe pedestrian crossings of Main Street so all pedestrians can access the existing and improved sidewalks that will exist on the east side of Main Street. This would include:
 - a. Adding a crosswalk across Main Street and signalized intersection at Maple Street with a connection to the existing or replaced sidewalk that runs along a portion of the right-of-way between Maple Street and Oak Street on the west side of Main Street.
 - b. The existing signalized intersection at Cypress Street needs, at a minimum, a connection to the sidewalk in front of the North Cliff Motel by constructing a new sidewalk segment along the west side of Main Street between the Noyo Bridge and the Cypress Street intersection.
 - c. Improving all existing curb cuts and driveways along the west side of Main Street between the Noyo Bridge and Oak Street.

Thank you for your consideration of this important project that will improve accessibility and allow safe pedestrian access for all people no matter their means of travel.

PUBLIC COMMENT RE CDP 3-20

March 24, 2021

The 24 enclosed photos taken this morning show the current conditions of the Caltrans right-of-way along the west side of Highway One starting at Oak Street and heading south towards Maple Street.

These conditions do not meet current ADA standards due to curb cuts and driveway mouths lacking aprons providing flat routes of travel around the sloped curb cuts and driveways as well as numerous obstructions in the sidewalks (e.g., poles for signs) that prevent an uninterrupted adequate width of travel along the existing sidewalks due to their narrow width compared to the sidewalks along the east side of Highway One.

In addition, the sidewalks along the west side of Highway One only extend as far south as the Maple Street intersection, with no sidewalks along the west side of Highway One south of Maple Street or North of Noyo Point Road.

There are no crosswalks across Highway One at its intersection with Maple Street (as there are at its intersection with Cypress Street), inhibiting safe pedestrian crossings of Main Street to access the sidewalks along the east side of Highway One south of Oak Street and north of Cypress Street.

There are also no traffic-control signals at the intersection of Highway One and Maple Street to stop traffic on Highway One and allow for pedestrians to safely cross from the western sidewalk segment that dead-ends at the Maple Street intersection.

The intersection of Highway One and Oak Street is signalized and has crosswalks across Highway One but it is quite far from the Maple Street intersection where the western sidewalk segment ends.

There is no signage on the west side of Highway One at its intersection with Oak Street indicating that the western sidewalks end at Maple Street and that pedestrians should consider crossing to the east side of Highway One to access sidewalks that continue south to other protected crossing opportunities at the intersection of Highway One and Cypress Street.

The City of Fort Bragg's Coastal Trail and park provide direct coastal access to the west of Highway One can be accessed via entrances at Noyo Point Road, Cypress Street, Alder Street, and Elm Street. There are no sidewalks along W. Cypress Street providing a safe pedestrian access point to the Coastal Trail and park (part of the City's trail system). Sidewalks should be added along at least one side of W. Cypress Street to provide a fully accessible and ADA-compliant pedestrian connection from Highway One to the Coastal Trail and park for all users.





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WHITE TUNDRA



HOME CENTE


**KEEP
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Do NOT Ride Bicycles,
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VIOLATORS WILL BE CITED
FALMOUTH POLICE DEPARTMENT

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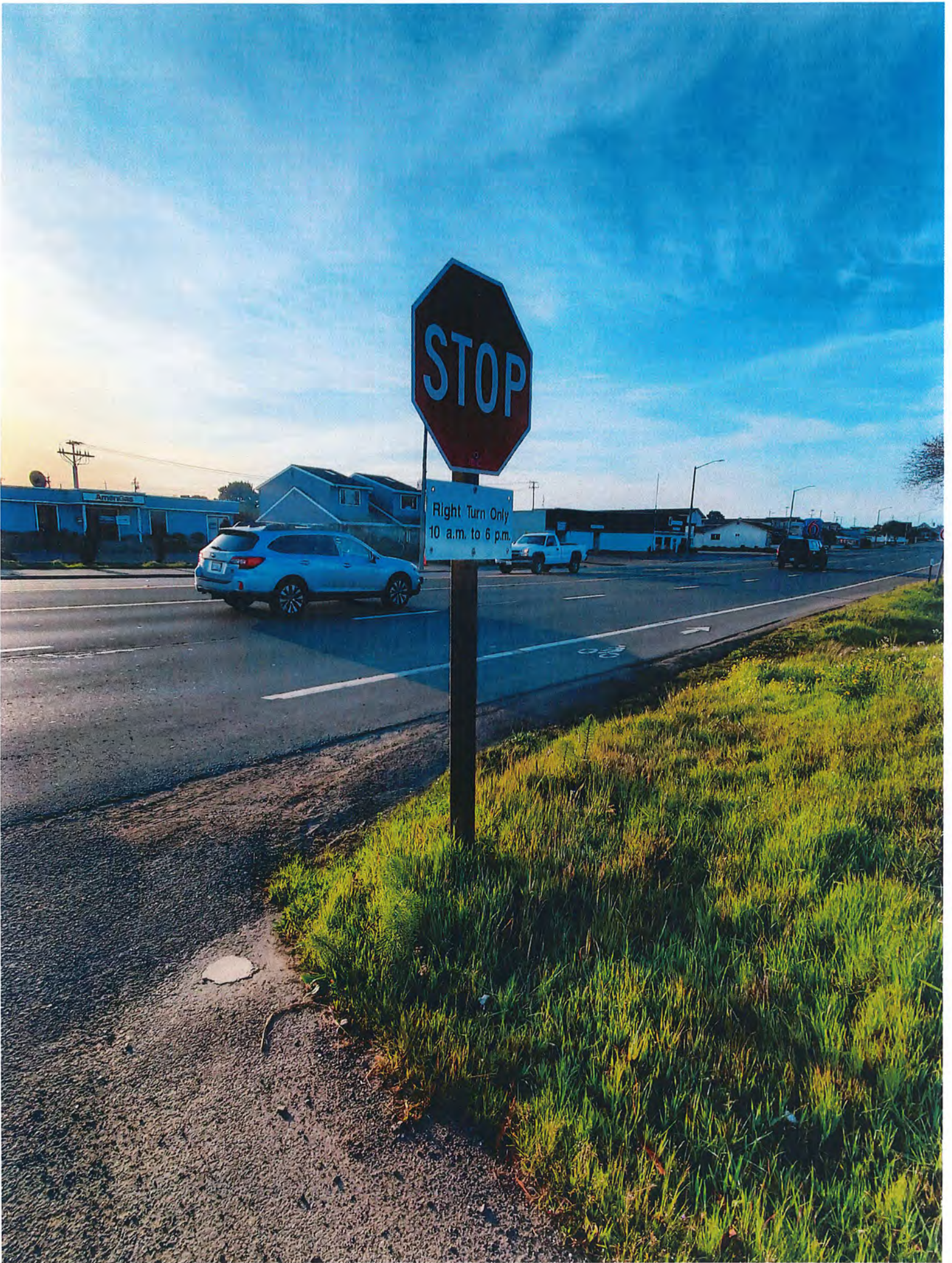
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Re: Caltrans ADA project (CDP 3-20) comment



Jacob Patterson <jacob.patterson.esq@gmail.com>

↻ Reply all | ▾

Wed 3/17/2021 10:36 AM

To: CDD User

Cc: O'Neal, Chantell; Miller, Tabatha ^

Inbox

Pages from Chapter 5 Ci... ▾
214 KB

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I am also forwarding an excerpt of the Circulation Element of the Coastal General Plan that includes the policies I mentioned. As discussed in my prior comment, the Caltrans project does not go far enough in addressing existing deficiencies in order to be consistent with the attached CGP policies because it fails to (a) add complete sidewalks to both sides of Highway One despite including the entire segment of Highway One (minus Noyo Bridge, which is already improved) with the project scope; and (b) remove existing obstacles that obstruct a clear path of travel in all segments of existing sidewalk along both sides of the Highway One right-of-way.

On Wed, Mar 17, 2021 at 10:23 AM Jacob Patterson
<jacob.patterson.esq@gmail.com> wrote:

Community Development Department,



some preliminary comments.

First, this information should have been posted the City's website so the public can review it easily. It had been posted on the City's Active Permits subpage but that page was removed by staff for whatever reason--perhaps limiting public oversight and reducing transparency--and I had to request access to be able to review the materials. That should be corrected because other people will not be able to review these materials without making a special request for access. Taking the action of limiting public access to project information is contrary to applicable Coastal General Plan policies.

Second, the project documents are somewhat unclear as to the scope of what is being proposed but it appears that a good portion of the Highway One right-of-way is going to be left as is. The purpose of this project is to improve ADA access conditions and this project does not appear to go far enough to accomplish that objective. For example, the project does not propose adding new sidewalks or altering the existing sidewalks along the west side of Highway One south of Redwood Street and north of Cypress Street. That portion of the Highway One right-of-way includes a large section without existing sidewalks. Our Coastal General Plan indicates that we should work diligently to add in sidewalks where they do not currently exist and yet this project fails to do that for a large portion of the right-of-way that currently does not have sidewalks and is covered by the project.

Moreover, a significant portion of the right-of-way that does include sidewalks does not meet current ADA standards because of numerous sign poles within the sidewalk that block the sidewalk in such a way that there is not adequate clearance for wheelchairs or other mobility aids. These sections of the sidewalk should be replaced with



is the sidewalk along the western side of Highway One south of Oak Street and north of Maple streets where numerous signs are in the middle of the sidewalk and far less than 48" inches of clearance is available. In the least, the signs in the sidewalk should be relocated to the curb itself and holes for the relocated poles should be patched so the sidewalks provide the required width of travel free from obstructions.

The existing conditions are quite dangerous and require numerous crossings of Highway One in order for people with mobility impairments to be able to use the travel paths without having to operate wheelchairs or scooters in the parking lanes of the street. The conditions after the project are improved in many places but the lack of relocation of the existing signs blocking fully accessible widths of sidewalk segments does not correct the existing deficiencies even after the proposed project will be implemented. The existing intersections allowing safer access to the sidewalks on the eastern side of the Highway One right-of-way are too far from some of these sidewalk segments and there is no signage at those intersections offering crossing opportunities to alert mobility-impaired people they should cross now rather than continuing on their existing travel path, which will be obstructed by the sign poles and deficient driveway aprons and curb cuts. In order to meet ADA requirements and to be consistent with applicable general plan policies, the project should be expanded to include removing or relocating all existing obstructions that prevent a full 48" of accessible travel paths along both sides of the Highway One right-of-way.

Regards,

--Jacob

MTA has a fixed-route weekday bus service (the "5 BraggAbout") in Fort Bragg with seven fixed stops that connect the College of the Redwoods, shopping centers, the Central Business District, and the hospital. Local trips within the Fort Bragg area are also provided by MTA's dial-a-ride service where riders can call to be picked up and delivered to their destination Monday through Saturday. In addition, the Redwood Senior Center provides transportation services for seniors in the community.

Goal C-8 Provide better public transportation.

Policy C-8.1: Encourage Transit Use.

Program C-8.1.1: Continue to support the expansion of transit services provided by MTA and other public transit providers.

Policy C-8.2: Bus Shelters: Encourage attractive, well-lighted, and comfortable bus shelters placed in convenient locations.

Program C-8.2.1: Continue to require the provision of bus stops, bus shelters, benches, turnouts, and related facilities in all major new commercial, industrial, residential, and institutional developments, and identify, in collaboration with MTA, additional locations for bus stops and shelters.

Policy C-8.3: Transit Facilities in New Development. Continue to require the provision of bus stops, bus shelters, benches, turnouts, and related facilities in all major new commercial, industrial, residential, and institutional developments.

9. Pedestrian Facilities

Most areas of Fort Bragg have sidewalks for pedestrians. There are, however, a number of residential streets which lack sidewalks, and substandard sidewalk facilities exist throughout the City. Better pedestrian access across Fort Bragg's bridges and along Main Street from the Noyo Bridge to the southern City limits and from Elm Street north is needed. New development must be served by adequate pedestrian facilities. In addition to the policies and programs listed below, see the Conservation, Open Space, and Parks Element regarding policies and programs recommended for increasing and improving the trail system within the Planning Area.

Goal C-9 Make it easier and safer for people to walk in Fort Bragg.

Policy C-9.1: Provide Continuous Sidewalks: Provide a continuous system of sidewalks throughout the City.

Policy C-9.2: Require Sidewalks. Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.

Program C-9.2.1: Consider implementing the following funding sources for the purpose of installing sidewalks in existing developed areas of the City:

- a) special benefit assessment districts; and/or
- b) a low-interest revolving loan fund.

Program C-9.2.2: Work with the Mendocino Council of Governments and Caltrans to construct pedestrian walkways over the Hare Creek and Pudding Creek Bridges. These facilities may qualify for Transportation Enhancement Activities (TEA) funding available through Mendocino Council of Governments (MCOG).

Policy C-9.3: Where feasible, incorporate pedestrian facilities into the design and construction of all road improvements.

Program C-9.3.1: Incorporate additional sidewalks from the Noyo Bridge to Ocean View Drive in the Capital Improvement Program.



Policy C-9.4: Sidewalk Maintenance: Ensure that property owners maintain sidewalks in a safe manner.

Program C-9.4.1: Continue to implement City regulations that require sidewalks to be maintained by property owners. Carry out regular inspections, notification, and enforcement of this requirement.

Program C-9.4.2: Financial Concerns: Consider the financial ability of property owners when establishing proposed sidewalk assessment districts.

Program C-9.4.3: Seek available funding from grants and other funding sources for the construction of sidewalks in existing developed areas.

Program C-9.4.4: Consider deferring payment for sidewalk installations for property owners with low incomes and/or on fixed incomes.

Policy C-9.5 Pedestrian Paths: Develop a series of continuous pedestrian walkways throughout the commercial districts and residential neighborhoods.

Program C-9.5.1: Allow asphalt or other approved surface pedestrian paths in very low density single-family residential areas where sidewalks are not required.

Program C-9.5.2: Revise the Subdivision and Coastal Program to allow approved surface pedestrian paths within developments to create pedestrian connections to nearby streets, community facilities, and adjacent developments as a part of on- and off-site improvements.

Policy C-9.6: Ensure that pedestrian paths are sited to avoid wetlands and other environmentally sensitive areas.



Policy C-9.7: Improve Pedestrian Safety.

Program C-9.7.1: Continue to provide traffic controls and well-lit intersections in areas with a high volume of pedestrian movement.

Program C-9.7.2: Consider expanded use of illuminated crosswalks.

10. Bikeways

With better facilities and trails, bicycling can become a more significant part of the transportation system and an alternative to automobile use. Fort Bragg has few constraints to bicycling: most of the City is flat, the weather is mild, and the City is compact with relatively short distances between residential areas, schools, parks, and commercial centers.

The California Street and Highway Code has established three categories of bicycle trails based on the physical conditions of the right-of-way.

Class 1 Bikeway - Bike Path or Bike Trail: These facilities are constructed on a separate right-of-way, are completely separated from street traffic, and have minimal cross flows of automobile traffic. The State standard for minimum paved width of a two-way bike trail is eight feet.

Class 2 Bikeway - Bike Lane: A restricted right-of-way for the exclusive use of bicycles with vehicle parking and cross flow by pedestrians and motorists permitted. Bike lanes are normally striped within paved areas of highways and are one-directional with a minimum standard width of five feet.

Class 3 Bikeway - Bike Route: A route for bicyclists designated by signs or other markings and shared with pedestrians and motorists. Bike routes are typically designated to provide linkages to the bikeway system where Class 1 or 2 Bikeways cannot be provided.

The following local bikeway projects are identified as high priority by Mendocino County's *2000 Regional Bikeway Plan*. A full description of recommended improvements is included in that Plan.

- The Pudding Creek Trestle to Otis Johnson Park Bikeway would provide a link between a park in northeast Fort Bragg and the beach at the mouth of Pudding Creek. It would also connect with the Old Haul Road, which travels north through MacKerricher State Park. As indicated on Map C-2, this path would serve Fort Bragg Middle School and neighborhoods in the northwest area of the City through a combination of Class 2 and 3 Bikeways. New Class 3 segments would be required from the Pudding Creek Trestle to Elm Street. Class 3 improvements would be constructed on Elm Street, Franklin Street, and Laurel Street.
- The Otis Johnson Park/Dana Street Bikeway would provide a north-south link within central Fort Bragg. This bicycle route would connect Fort Bragg Middle School and Fort Bragg High School. The proposed bike route would use existing bikeways and a section of the proposed bikeway improvement listed above for Laurel Street. It would consist of Class 3 Bikeway improvements on Oak Street and Class 1 Bikeway improvements on Dana Street.
- The Dana Gray School to Maple Street Bikeway would provide east-west access between Dana Gray School and an existing bikeway on Maple Street. Class 3 Bikeways would be constructed on S. Sanderson Way, Willow Street, and Lincoln Street.

Goal C-10 Make it easier and safer for people to travel by bicycle.

Policy C-10.1 Comprehensive Bikeway System: Establish a comprehensive and safe system of bikeways connecting all parts of Fort Bragg.

Program C-10.1.1: Complete the bikeway system as indicated in Map C-2: Bicycle Paths. Make the completion of the Pudding Creek Trestle/Glass Beach to Otis Johnson Park a high priority.

Program C-10.1.2: Incorporate bicycle and pedestrian facilities into the design and construction of all road improvements as feasible.

Program C-10.1.3: Continue to participate in MCOG's *Regional Bikeway Plan* to qualify for State Bicycle Lane Account funds.

Program C-10.1.4: Utilize parking-in-lieu funds, dedications, grant funding, traffic impact fees, and other means, as appropriate, to acquire rights-of-way needed for a comprehensive bikeway system as indicated in Map C-2.

Program C-10.1.5: Maintain bikeways to ensure that they are free of debris and other obstacles. Consider increasing the number of trash receptacles, solar-powered emergency telephones, and increased lighting along bicycle trails.

Policy C-10.2: Require Bikeways. Require new development to provide on-site connections to existing and proposed bikeways, as appropriate.

Policy C-10.3: Require that streets linking residential areas with school facilities be designed to include bikeways.

Policy C-10.4: Consider bicycle operating characteristics in the design of intersections and traffic control systems.

Policy C-10.5 Bicycle Parking: Provide adequate and secure bicycle parking at public transit facilities, park and ride lots, schools, the library, parks, City offices, and commercial areas.

Program C-10.5.1: Revise the Coastal LUDC parking standards to require larger commercial and multi-family residential projects, public buildings, and transit facilities to provide secure bicycle parking.

Program C-10.5.2: Continue the bicycle safety program conducted by the Police Department.

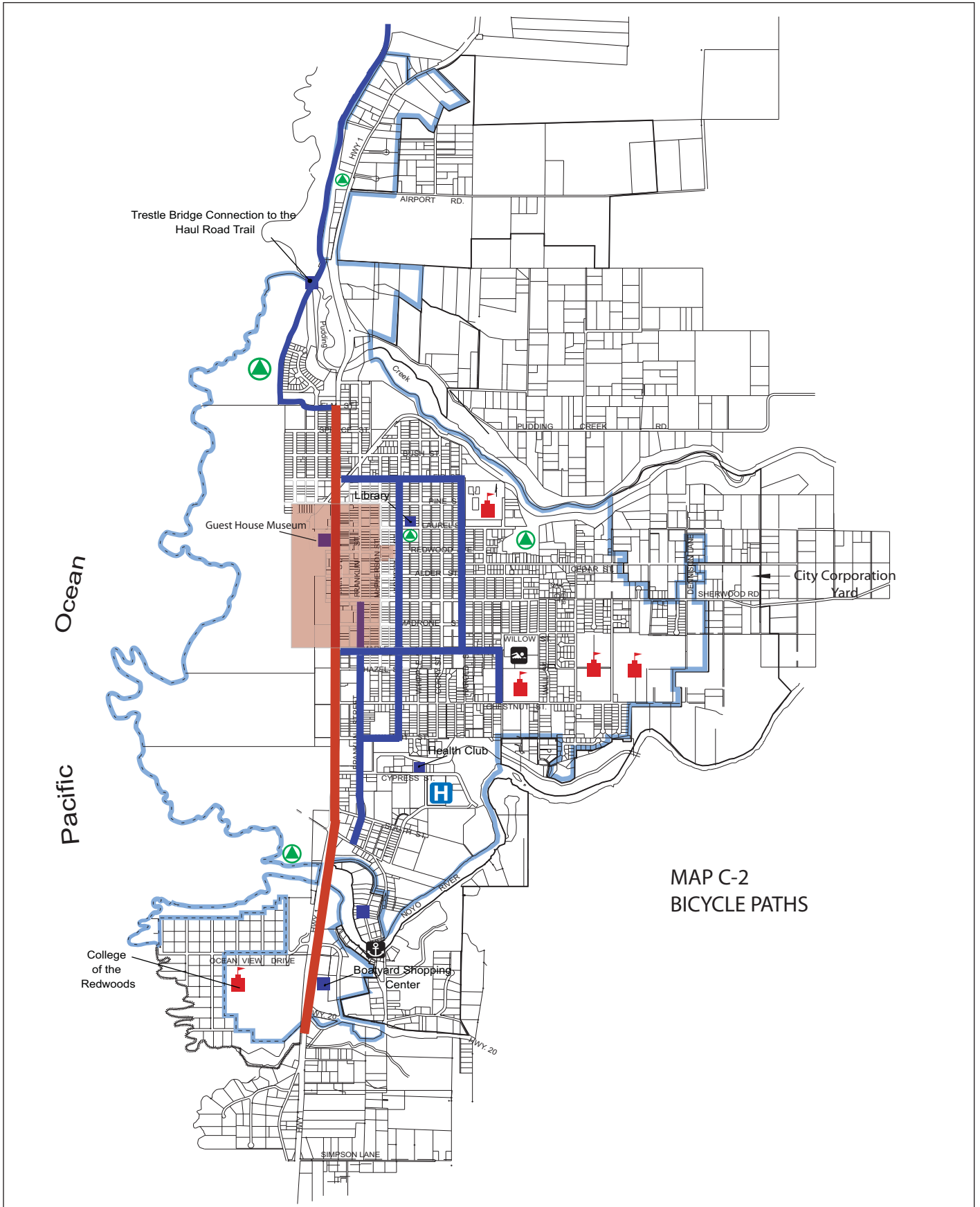
11. Access for the Mobility Impaired

Providing transportation facilities accessible to persons who are mobility-impaired is essential. Approximately three percent of the population in Fort Bragg cannot use conventional public transit due to a disability. The Federal Americans with Disabilities Act of 1990 contains many requirements regarding removal of barriers for persons with disabilities.

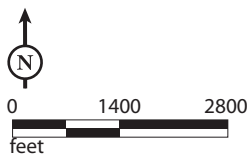
Goal C-11 Provide mobility-impaired persons with access to transportation.



Policy C-11.1: Regulations for Disabled Persons: Enforce Federal and State regulations regarding access for persons with disabilities.



MAP C-2
BICYCLE PATHS



Legend

- City Boundary
- Central Business District
- School
- ▲ Parks
- H Hospital
- Harbor/Marina
- Aquatic Center
- Points of Interest
- Proposed Hwy 1 Bike Lanes
- Existing Bikeways

Policy C-11.2: Handicapped Access. In conformance with State and Federal regulations, continue to review all projects for handicapped access and require the installation of curb cuts, ramps, and other improvements facilitating handicapped access.

Program C-11.2.1: Assist organizations, such as the Senior Center, which provide transit service to the elderly and the mobility-impaired, in identifying and obtaining funding.



Policy C-11.3 Support Improved Access: Support improved access to public transportation and pedestrian facilities for people with disabilities.

Program C-11.3.1: Continue to apply for grants for ADA-related projects from MCOG and other sources.

Program C-11.3.2: Consider funding to implement the City's ADA Access and Transportation Plan through the City's Capital Improvement Plan (CIP), grants, and State and Federal transportation funds.

12. Train Service

The Sierra Railroad, known as the Skunk Line, operates a rail system between Willits and Fort Bragg. It is the only railroad in the region that has maintained passenger service on a regular basis since its founding. Train service is offered daily (approximately eleven months per year), and handles approximately 80,000 passengers annually. Freight service is provided on request.

The Skunk Depot, located at Laurel Street in the Central Business District, has been recently renovated, including additional parking facilities. It provides access to MTA's local and regional buses. The railroad not only benefits from the extensive tourist traffic on the Mendocino Coast, it is also a major generator of visitors to the Willits and Fort Bragg areas.

Although the use of the Skunk Line for freight transportation has decreased in recent years, it continues to provide freight service. If the rail lines were upgraded to carry heavier loads, it could serve as an incentive to increase freight loads.

Goal C-12 Increase use of the Skunk Line for transportation of people and freight.



Policy C-12.1 Skunk Train: Encourage increased use of the Skunk Train.

Program C-12.1.1: Continue to work with the Skunk Train Company to improve and expand facilities at the Skunk Depot.

Program C-12.1.2: Work with the Mendocino Council of Governments to facilitate increased use of the Skunk Line as an alternative to automobile transportation between Fort Bragg and Willits.

13. Coordinate Regional Transportation Planning

Traffic congestion along Fort Bragg's Main Street is connected to development in unincorporated areas to the north and south of the City. Main Street is Highway One which is the primary north-south route for all communities on the coast. Land use decisions made by the County of Mendocino have a significant impact on transportation in the Fort Bragg area. The City works closely with the regional agencies described below:

- County of Mendocino: maintains and plans the county road system.
- Mendocino Council of Governments (MCOG): prepares and carries out a Regional Transportation Plan, establishes priorities for Federal and State funding, and funds studies of transportation corridors.
- Mendocino Transit Authority, (MTA): operates several transit routes serving the City and the region. It is a county-wide authority created through a joint powers agreement among cities and the County.

Goal C-13 Coordinate regional traffic planning.



Policy C-13.1 Regional Transportation Efforts: Participate in regional transportation planning efforts.

Program C-13.1.1: Continue to provide City Council and staff representation on regional transportation planning agencies.

Program C-13.1.2: Work with the MCOG and Caltrans to coordinate transportation planning and to identify funding for necessary transportation improvements.

Program C-13.1.3: Continue to ensure that MCOG's Regional Transportation Plan (RTP), the State Transportation Improvement Program (STIP) and the State Highway Systems Operation and Protection Plan (SHOPP) include needed improvements to Highway One and Highway 20 in the Fort Bragg Planning area. Such improvements shall be designed to ensure that Highway One in rural areas outside the Mendocino County urban/rural boundary remains a scenic two-lane road consistent with Section 30254 of the Coastal Act.

14. Funding Transportation Improvements

Funding transportation improvements is predominantly a Federal, State, and regional responsibility. For many years the road system has received the largest proportion of public expenditures for transportation. Although increased funding for alternative modes of transportation has significant environmental and social benefits, roadway funding will continue to receive the highest priority. Fort Bragg remains a relatively isolated coastal community and depends on the road system for the majority of its transportation needs.

A significant amount of the traffic in Fort Bragg is through-traffic (trips that originate or have destinations outside of the City). The logging industry, tourist travel, and people coming to Fort Bragg from around the region for shopping, educational, medical, and other services generate much of the traffic.

It is necessary that funding mechanisms be expanded to ensure effective coordination among different government jurisdictions. The goals, policies, and programs below complement those

in the Land Use and Public Facilities Elements requiring new development to pay for its fair share of maintaining the City's infrastructure and service levels.

Goal C-14 Promote balanced funding for transportation.



Policy C-14.1 Development to Pay Its Fair Share: Require new development to pay its fair share of transportation improvements to maintain levels of service and traffic safety in the City.

Program C-14.1.1: Develop a City-wide Traffic Mitigation Fee Program.

Program C-14.1.2: Work with the County of Mendocino and MCOG to develop traffic mitigation fees for the Fort Bragg Sphere of Influence. Consider adopting a memorandum of understanding between the City of Fort Bragg and the County regarding traffic mitigation fees.

Program C-14.1.3: Work with MCOG to ensure that the standards and requirements contained in the joint City and County Traffic Mitigation Program between Fort Bragg and the County are incorporated into the Regional Transportation Plan.

Program C-14.1.4: Include in the Traffic Mitigation Fee Program mitigation fees for new development with primary access to Highway One and Highway 20. Utilize the funds collected as a local match to encourage Caltrans to raise the priority of Highway One and Highway 20 improvements.

Program C-14.1.5: Ensure that the City's Pavement Management System obtains funding from the Traffic Mitigation Fee Program, as deemed appropriate by the traffic impact fee nexus study and applicable State law.

Program C-14.1.6: Carry out an ongoing inventory of transportation system needs to be included in the City's Capital Improvement Plan.

Gonzalez, Joanna

From: Jenny Shattuck <jenxvann@yahoo.com>
Sent: Wednesday, March 24, 2021 5:45 PM
To: Gonzalez, Joanna
Cc: Morsell-Haye, Jessica
Subject: caltrans project 6A

Last year while driving on South Main st by the intersection of Main and Cypress there was an elderly man pushing his wife in a wheelchair west across the crosswalk towards the coastal trail access point at West Cypress st. After making it through the crosswalk, on to the curb, he then went straight into mud and she was stuck in her wheelchair. People assisted to get her chair freed from the mud. The sidewalk at this intersection on the west side of the hwy does not exist. Only a curb to dirt, mud and grass. For someone in a wheelchair to enter the coastal trail access they would have to go into oncoming traffic that is exiting the Mill site or South Trail access. The same goes for exiting this intersection. I contacted a council member within 5 min of this happening and was informed that this would be part of the upcoming Caltrans project. This was confirmed with city staff. However the only thing in this section being redone is on the east side of this intersection. This is clearly visible on their presentation page marked L8 I do hope that this highly used intersection is made safe for all. It was heartbreaking to see an elderly man trying to bring his wife out to see the sunset, to be in such a helpless situation. Thank goodness for the kindness of strangers, who stopped in traffic on Main st to assist. This is a highly traveled intersection for people of all ages and abilities.. Please make this a top priority before someone is hurt or killed trying to navigate this as a pedestrian. It is shocking that a Caltrans project that is supposed to be addressing ADA compliance issues is not proposed to fix anything on the west side of the intersection of West Cypress and Main where this unfortunate and dangerous situation occurred. Being

that this is the access point for pedestrians, and those living at the senior developments off of East Cypress and near the hospital this seems a priority. Please make sure this project remedies all of these issues.

Thank you,
Jenny Shattuck
Fort Bragg

Gonzalez, Joanna

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, March 24, 2021 5:00 PM
To: Gonzalez, Joanna; Miller, Tabatha
Subject: Public Comment reg. Public Hearing about Coastal Development Permit 3-20 (CDP 3-20) item 6a Planning Commission 3-24-2021

Public Comment reg. Public Hearing about Coastal Development Permit 3-20 (CDP 3-20) item 6a Planning Commission 3-24-2021

Dear Commissioners,

Glancing at the information in the agenda it looks like what is happening is basically a necessary job to accommodate the public due to ADA laws.

I am opposed to this project as it is proposed due to many reasons.

It is not that benign. While I am in favor of adding sidewalks where non exist, having curb ramps, and gutters I am opposed to this huge environmentally damaging project and do not agree with the environmental determination that as it stands should be exempt from CEQA Categorical Exemption, Class 1(c), Existing Facilities; NEPA Categorical Exclusion under 23 USC 327.

In addition, trying to hold this public hearing dealing with a project within the coastal zone just 2 months shy of in-person hearings is not what the PUBLIC RESOURCES CODE – DIVISION 20 of the CALIFORNIA COASTAL ACT was designed to protect. According to 30006 The Legislature further finds and declares that the public has a right to fully participate in decisions affecting coastal planning, conservation, and development; that achievement of sound coastal conservation and development is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation.

In addition Section 65033 of the State Planning, Zoning, and Development Law (Government Code) reads: The Legislature recognizes the importance of public participation at every level of the planning process. It is therefore the policy of the state and the intent of the Legislature that each state, regional, and local agency concerned in the planning process involve the public through public hearings, informative meetings, publicity and other means available to them, and that at such hearings and other public forums, the public be afforded the opportunity to respond to clearly defined alternative objectives, policies, and actions.

In addition CEQA Guidelines, at Title 14, California Code of Regulations section 15201 reads:
15201. PUBLIC PARTICIPATION

Public participation is an essential part of the CEQA process. Each public agency should include provisions in its CEQA procedures for wide public involvement, formal and informal, consistent with its existing activities and procedures, in order to receive and evaluate public reactions to environmental issues related to the agency's activities. Such procedures should include, whenever possible, making environmental information available in electronic format on the Internet, on a web site maintained or utilized by the public agency.

Also CEQA (Public Resources Code section 21000 and after) contains many specific provisions about required notice of environmental documents, and opportunities for public comments on them.

In addition this web page

<https://city.fortbragg.com/786/Active-Planning-Reports-and-Studies>

no longer has information about this Caltrans project. Only the initial study about the Grocery Outlet and the Avalon Hotel are available. Not even information about a possible future Dollar Store.

It seems hard for the public to deal with virtual meetings and not see for example these project plans (large size) as a power point presentation. It is not acceptable that plans that the public and the Planning Commission are shown "Preliminary for Design Study Only" plans, plans not drawn to scale, and plans that have icons that are not explained in the legend.

Why were the attachments not included? Yes, they might be visible for people who want to spend hours searching for them.

I am against the installation of two retaining walls at two separate locations. None of the information from Caltrans or the staff report indicate why this is proposed or how it ties in to fulfilling the ADA requirement. Also reading that these retaining walls have an approximate height makes me believe that this project is not ready to be evaluated. Even more so when in the Environmentally Sensitive Habitat Area (ESHA) Assessment

According to the staff report there would be retaining walls adjacent to the sidewalk between the intersection of SR 1 and SR 20 and the intersection of SR 1 and Boatyard Drive. The retaining wall would be located on the east side of the proposed sidewalk and extend north from the intersection of SR 1 and SR 20 for a distance of 741 linear-feet. This wall would vary in height measuring approximately six (6) feet tall at its highest point near SR 20 and would reduce in height moving north to approximately four (4) feet. Adjacent to the west of the proposed new sidewalk, between Spruce Street and Elm Street. This retaining wall would be 59 linear-feet long and measure approximately four (4) feet tall (from lower grade on the west side of the wall). It is mentioned in the ESHA Assessment that the proposed retaining wall would be approximately 10 feet tall at its highest point near SR 20 and would reduce in height moving north. We deserve to know exactly how tall these retaining walls would be for any given point. If these could be covered by bushes and plants that would maybe be acceptable, but not only on top of it. As Main Street/Hwy1 is a scenic highway mentioned in the documents and is the first road parallel to the ocean it is not acceptable to create such an eyesoar. Our town survives from tourists and they do not come to stare at retaining walls, no matter how you want to dress them up with context-sensitive architectural designs. They do not want to be stuck in traffic and surrounded by noise. Also, the work can not happen during tourist season and bird nesting season or rainy season.

Where is a photo of how these walls would look like and these context-sensitive architectural designs?

Where is the Landscape plan?

The various project work locations would total approximately 2.3 miles of construction. How many months would it take? What would be the working schedule (hours per day, per week or at night with bright lights? How will the businesses suffer who already suffered so much with Covid? Do you have all the permits from the individual land owners? How many are missing?

I read that there is currently one alternative for the proposed project. This is not an alternative, this is the project.

Based on the current project description Caltrans has determined this action would not affect special-status taxa, sensitive natural communities, wetlands, jurisdictional waters, essential fish habitat or federally designated critical habitat (Appendix D). I disagree with this statement. Just because a survey was done and none of the animals and plants were found in this general area does not mean that they are not there or at least not there some of the time. We are not told what day, month, year the survey/s was done/were done and what time of the day. How busy and noisy was it when it was done?

Did the survey for bats include a survey at dusk? For example there have been more Bald eagles seen in the area. Their territory covers easily north of Fort Bragg to Navarro River where they have been found lately. See

<https://ebird.org/home> and Audubon Survey Area 3 & 4

<https://www.google.com/maps/d/viewer?msa=0&ie=UTF8&t=p&vpsrc=6&ll=39.456872651798236%2C-123.77162886767579&spn=0.212238%2C0.274658&z=12&source=embed&mid=1klQG6bcyJ0aAfrV32n7w7-Dv-FA>

and last survey from 2018:

<https://www.mendocinocoastaudubon.org/downloads/118%20CAFB%20Tally.pdf>

Missing is a noise study and a study dealing with how much grading will happen and where and how that affects the environment.

The documents point out the relocation of underground utilities and adjustment of utilities to grade. Will small cell wireless devices be installed or will it be prepared to do so? We deserve to know. Are these retaining walls installed to facilitate the places to allow Comcast, AT&T and PG&E to co-locate? What are joint poles.

The Visual Impact Assessment, dated January 17, 2020 does not evaluate the true impacts of the proposed project.

This project will require Temporary Construction Easements (TCEs) for 30 properties.

As of August 2020, Caltrans has obtained 15 TCEs and will be working toward obtaining the remaining 15 TCEs. How many do you have now?

The project is not acceptable.

Sincerely, Annemarie Weibel

3-24-2021

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This email has been checked for viruses by Avast antivirus software.

<https://www.avast.com/antivirus>

From: [Jacob Patterson](#)
To: [O'Neal, Chantell](#); [Miller, Tabatha](#)
Subject: Caltrans ADA project follow-up comment
Date: Friday, April 2, 2021 9:40:01 AM

Chantell,

First, this may be based on a false assumption about the identity of the author of the staff report so if it is, please disregard. I did not recognize the name on the March 24th staff report but it might be one of the City's planning consultants rather than a Caltrans planner.

I want to make a suggestion regarding the continued public hearing on April 14th for the Caltrans CDP. It appeared that the City permitted Caltrans to prepare their own staff report rather than independently reviewing the project with our own staff or consultants. Caltrans is not objective and is obviously self-interested in their recommendations and how they chose to interpret our local planning documents. I think that including a self-authored staff report is fine as a form of written public comment by the applicant but the City should probably have at least a brief objective report for this item. (If we attempted to do that through one of our planning consultants, then my suggestions do not apply, although I think the consultant needs to review our planning documents in more detail as well as the additional evidence and information contained in the public comments that were submitted for the March 24th public hearing.)

In particular, the City may wish to impose numerous additional special conditions to make sure that Caltrans has to fund and provide all improvements that are necessary to achieve the applicable goals in the Coastal General Plan. Why wouldn't we do that to the greatest extent permissible rather than deferring the additional improvements to other projects and possibly leaving the City itself responsible for correcting existing deficiencies within Caltrans r-o-w with our own limited funding? For example, the last major Caltrans project resulted in a brand new Noyo Bridge but also their purchase and creation of the Noyo Bluffs Park to mitigate for the view-blocking impacts on the bridge widening. Based on the original staff report, we aren't asking them to do anything beyond what their initial proposal involved, which doesn't even address many deficiencies and effectively ignores numerous applicable policies in the Coastal General Plan, at least in my opinion.

None of this email is intended as a criticism of City staff concerning this permit application; I am only trying to make sure the City doesn't miss an opportunity to provide much-needed infrastructure improvements without having to rely on our limited local financial resources to do so and by allocating those costs to the agency that is the most appropriate responsible party.

Best regards,

--Jacob