

# Capitola City Council

## Agenda Report



**Meeting:** April 27, 2023

**From:** Community Development Department

**Subject:** Broadband Middle Mile Network Project

---

**Recommended Action:** Authorize a consolidated coastal development permit for the Regional Broadband Middle Mile Project.

**Background:** On January 24, 2023, staff from the California Coastal Commission requested authorization by the City of Capitola to process a Consolidated Coastal Development Permit (CDP) for the California Department of Transportation (Caltrans) for the Regional Broadband Middle Mile Project.

The project involves development in areas of the Coastal Commission's permitting jurisdiction as well as Capitola's permitting jurisdiction. Referred to as the Broadband Middle Mile Network Project, the project involves installation of 10,000 miles of broadband infrastructure throughout the entire state to make high-speed internet service broadly available throughout California, particularly in unserved and underserved areas. The project is supported through funding by Senate Bill 156, which provides a \$7 billion investment to implement the project over the next few years. Funding parameters require the issuance of permits by the end of 2024 and the completion of construction by the end of 2026.

**Discussion:** Within the proposed project, all broadband infrastructure will be placed within the State Highway System right-of-way, which is owned and operated by Caltrans. Approximately 900 miles of the network will occur within the coastal zone, and approximately 2 miles will be installed in Capitola within Highway 1. The infrastructure will include fiber optic conduit and cable, network hubs, vaults, and markers. Caltrans is responsible for the planning, permitting, and construction of the project. This includes obtaining CDPs for the portions of the project within the coastal zone pursuant to the Coastal Act and Local Coastal Programs (LCPs). Caltrans District 5 has requested a consolidated CDP application so one permit could cover all of the coastal zone geographic area within the district.

Section 30601.3 of the Coastal Act allows for a consolidated CDP process in cases where projects cross the Commission's permitting jurisdiction and the jurisdiction of a local government with a certified LCP, such as is the case here since the Commission retains permitting jurisdiction in multiple areas within Caltrans District 5. A consolidated CDP will assist Caltrans in meeting their highly compressed project timeline, while reducing the burden on local governments and ensuring a smoother, more consistent approach to reviewing this project for compliance with the Coastal Act. The City Council must authorize the Coastal Commission and Caltrans to proceed with a CDP, rather than require local permitting by the Capitola Planning Commission.

The applicant submitted a project description, a coastal area map, and a memo on coastal compliance. The project will follow the guidance included in the coastal compliance memo providing adequate mitigation to any impacts within the Highway 1 corridor on coastal resources and access.

While the current consolidated CDP request is specific to the project within the Highway 1 Corridor, connectivity from the Broadband Middle Mile Network into the city will be available upon completion. The project is expected to be completed statewide by December of 2025. The timing for the portion which goes through the City of Capitola is currently unknown as a contractor was recently selected and a schedule is currently being produced. Grant money through the state will be available for connection from the Middle Mile Network into individual cities.

**Fiscal Impact:** None

**Attachments:**

1. Project Description

2. Coastal Map Area
3. Coastal Compliance Information

Report Prepared By: Katie Herlihy, Community Development Director

Reviewed By: Julia Moss, City Clerk; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager