



# Monterey County

## Planning Commission

### Agenda Item #4

Legistar File Number: PC 16-042

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

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#### **REF160056 - Fire Recovery Program**

Presentation on the Fire Recovery Program, including current process and background information regarding the 2016 Soberanes and Chimney Fires.

#### RECOMMENDATION

Staff recommends that the Planning Commission receive the report.

#### PROJECT INFORMATION:

**Project File Number:** REF160056

**Project Location:** Soberanes Creek, Garrapata State Park, Carmel Highlands, Palo Colorado, Tassajara, Carmel Valley, Big Sur.

**Planning Area:** Cachagua Area Plan, Carmel Valley Master Plan, Carmel Area Land Use Plan, Big Sur Land Use Plan

#### DISCUSSION/SUMMARY:

On August 23, 2016, the Board of Supervisors (BOS) adopted a resolution approving Fire Recovery Guidelines to support processing of permits for rebuilding of structures destroyed or damaged by the 2016 Soberanes and Chimney fires. The program is approved for a five-year period (August 31, 2021), and the Director of Resource Management Agency (RMA) is authorized to extend the five-year timeframe to August 31, 2026 in certain cases. These guidelines are set in place in order to help streamline the permitting process for damaged or destroyed residences by the fire with the intention to help direct those affected by the fire to appropriate representatives for each department and expedite their requests.

A team has been established to assist with questions and concerns with the application process. RMA continues to meet and talk with numerous property owners affected by the fire to discuss various issues regarding rebuilding. In addition, the following agencies have met in regards to the permit reviewing process for properties affected by the fire: RMA (Planning, Development Services, Public Works, and Environmental Services), Environmental Health Bureau, and the Monterey County Water Resources Agency. These agencies have collaborated to establish an accelerated process for tree removal, to replace legal structures and infrastructure, and assess unpermitted structures to ensure they comply with the Monterey County Land Use regulations.

Separately, the RMA Public Works and Facilities Division have identified public roads, Palo Colorado and Coast Road, impacted by the fire and have taken measures to address roadway safety concerns. Both of these roads are currently accessible and safe for the public to utilize. However, there are repairs, such as fixing culverts and installing retaining walls, that need to be addressed and are being evaluated to determine what repairs will be done prior to this winter season or after. An application has been submitted to the California Governor's Office of

Emergency Services for grant funding to do the repairs pursuant to the California District Attorneys Association (CDAA) regulations. The RMA anticipates proceeding to the Budget Committee and Capital Improvement Commitment to discuss the funding needed. It has been determined by staff that there are no repairs needed for the bridges within this area at this time. Further assessments need to be made with the upcoming winter season for the debris flows that may come as a result from the fire.

Federal and State teams conducted technical analyses of the northern sections of the Soberanes Fire for post-fire hazards. The US Forest Service Burned Area Response (BAER) Teamwork products included a soil burn severity map and hydrologic, soils, and debris flow analysis. The large scale BAER analysis was provided to the State Post Fire Watershed Emergency Response Team for further refinement at a smaller scale, and the State report is scheduled to be released during the week of September 19-23. It will include recommendations to minimize threats to life and property.

Federal assistance may be available to private property owners through the Natural Resources Conservation Service (NRCS) to construct property protection measures. The NRCS Emergency Watershed Protection Program (EWPP) is a federal program that can help address watershed impairments that pose imminent threats to lives and property. Through the EWPP, the NRCS may pay up to 75% of the construction costs for emergency measures. On August 23, the Board of Supervisors authorized the County to sponsor the EWPP, which means County guarantees the 25% local match.

Upon request by the property owner, the NRCS will conduct an initial site assessment. If the property is determined to have such hazards, property owners could enter into a contract with the County to construct the treatments identified by the NRCS. NRCS would reimburse the County for 75% of the cost while the property owner (under contract to the County) would be responsible for the remaining 25%. It has been determined that County paying on behalf of property owners would be considered a gift of public funds, so we require a contract where the property owner agrees to reimburse the County. Grant funding may be available to assist the property owner with the remaining cost. The property owners association for the affected areas are notifying and informing the owners of these programs that are currently available to assist in these hazard assessment areas.

Under this Recovery Program, staff will expedite any permits received as a result from the Soberanes fire and provide priority review, including structures that were not previously permitted. Permit Coordinator, Freda Escobar, will be the point of contact for all incoming permits and will coordinate with the respective departments to ensure the applicant receives the assistance needed.

Prepared by: Freda Escobar, RMA Services Manager, Ext. 5689

Approved by: Carl P. Holm, AICP, Resource Management Agency Director

The following attachments are provided to the Planning Commissioners:

Attachment A - Soberanes/Chimney Fire Rebuild Information

Attachment B - Resource Management Agency -Tree Removal Permit Process

Updated reports for the BAER and WERT teams will be available on the Monterey County Office of Emergency Services website at:

<http://www.co.monterey.ca.us/oes/Soberanes-Post-Fire-and-Recovery-Information.asp>