



## Zoning Administrator

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**Introduced:** 4/26/2024

**Current Status:** Agenda Ready

**Version:** 2

**Matter Type:** Zoning Administrator

### **PLN230159 - MOSS LANDING POWER COMPANY LLC**

Public hearing to consider inspections and repairs to a 350 linear foot section of an existing PG&E natural gas pipeline within 100 feet of Environmentally Sensitive Habitat Area.

**Project Location:** Between 12151 Dolan Road and 357 Dolan Road, Moss Landing.

**Proposed CEQA Action:** Find the project Statutorily Exempt pursuant to CEQA Guidelines section 15284.

### RECOMMENDATION:

It is recommended that the Zoning Administrator adopt a resolution to:

- 1) Finding that project Statutorily Exempt pursuant to CEQA Guidelines section 15284; and
- 2) Approving a Coastal Development Permit to allow inspections and repairs to a 350 linear foot section of an existing PG&E natural gas pipeline within 100 feet of Environmentally Sensitive Habitat Area.

A draft resolution with findings and evidence supporting this recommendation is attached for consideration (**Exhibit A**).

### PROJECT INFORMATION:

**Owner:** Moss Landing Power Company LLC

**Applicant:** Pacific Gas & Electric

**APN:** 133-171-003-000

**Zoning:** Heavy Industrial (HI) and Coastal Agriculture Preserve (CAP)

**Parcel Size:** 101 acres

**Plan Area:** North County Land Use Plan

**Flagged and Staked:** No

**Project Planner:** Fionna Jensen, (831) 796-6407, [JensenF1@countyofmonterey.gov](mailto:JensenF1@countyofmonterey.gov)

### SUMMARY:

The California Public Utilities Commission (CPUC) requires that all gas utilities in the state conduct safety inspections. Pacific Gas & Electric (PG&E) performs gas safety inspections, maintenance, and repairs periodically every one to three years. PG&E owns and operates Gas Line 301G in Monterey County, which delivers natural gas service to customers in the surrounding area. A previous investigation determined that this gas pipeline should undergo further inspection and maintenance, as needed. The proposed project will ensure continued essential natural gas service on a safe and reliable basis.

PG&E will use a backhoe and/or vacuum truck to expose the existing pipeline to identify girth welds.

The bell hole, a bell-shaped excavation dug over and alongside a pipeline, is required to locate reference girth welds and confirm the locations of each anomaly (defect). Anomalies may include a change in wall thickness due to metal loss, a deformation of the pipe wall, or a crack. Crews will then use a backhoe and shovels to excavate up to 12 feet deep. If needed, one contingency sniff hole will be excavated in an upland area to locate the anomaly. The excavations at the Project site will measure approximately 9 feet by 12 feet (anomaly bell hole) and 6 feet by 6 feet (contingency sniff hole), respectively.

After identification and inspection of the anomaly, repairs to the pipe may be required. Repairs could include, but not be limited to, recoating, installation of a sleeve, or replacement of a segment of the pipeline. Following repairs, the excavation would be backfilled with native or clean soils and compacted in place. Excavated material not used for backfill will be disposed of off-site location in accordance with the property's Soil Management Plan, overseen by the Department of Toxic Substance Control. The disturbed areas will then be reseeded and restored to current conditions. The proposed inspection and repair activities are expected to require approximately 90 days to complete, depending on the results of the inspection.

#### DISCUSSION

Staff has reviewed the project for consistency with the 1982 General Plan, North County Land Use Plan (LUP) and Coastal Implementation Plan (Part 2), and the Coastal Zoning Ordinance (Title 20).

#### Land Use

The subject property is located adjacent to Dolan Road, Moss Landing. The subject property has a land use designation and zoning district of Heavy Industry and Coastal Agriculture Preserve, while the surrounding area is designated Agriculture Preserve and Wetlands & Coastal Strand. The subject property was previously used in conjunction with PG&E's Power Plant as an oil tank farm. This use has since ceased and the property is vacant, other than a water tank and a small research lab. The Moss Landing Power Plant Master Plan (1996-1998), as amended in 2018, identifies existing PG&E transmission lines within the master plan planning area, including the subject natural gas line. Although repair and maintenance to an existing gas pipeline would typically be exempt from a Coastal Development Permit, pursuant to Title 20 section 20.70.120.E, because the Project site is located partially within an environmentally sensitive habitat area (ESHA) (see below discussion), a Coastal Development Permit is required.

#### Environmentally Sensitive Habitat Area

According to the prepared delineation of aquatic resources report (Monterey County Document No. LIB230260), the project site occurs in the Elkhorn Slough watershed and one brackish marsh of approximately 0.544 acres was identified within the survey area. Wetlands and seawater marshes, such as brackish marsh, are considered ESHA pursuant to the North County LUP. Per the prepared biological report (Monterey County Document No. LIB230259), the proposed project will impact up to 0.15 acres of brackish marsh. Accordingly, PG&E prepared a project-specific restoration plan that requires the 1:1 replanting and reestablishment of brackish marsh (0.15 acres). The restoration plan (**Exhibit B**; Monterey County Library No. LIB240097) proposes the utilization of onsite native plant stock to increase and expand the cover of native vegetation in the work area, where vegetative cover is currently dominated by non-native species. The restoration plan requires that the restoration

activities be monitored by a qualified biologist for three years to ensure that 100 percent of the restoration is successful. Adherence to this restoration plan, as required by Condition No. 4, will ensure long-term maintenance of the brackish marsh habitat, consistent with North County LUP Policy 2.3.2.3.

Additionally, the biological report identified federally listed species that may be present in the project site through evaluation of habitat suitability during an October 2022 field survey and review of available database records for species and habitats present in and near the property. Federally listed species are also considered ESHA under the North County LUP.

The project site is covered under PG&E Multi-Region Habitat Conservation Plan (MRHCP; HCP Permit No. TE77814D-0 Expires: 6/29/2050). Although California red-legged frog (CRLF) habitat was not mapped within the MRHCP, the Project Biologist determined that the species, if present, may utilize available the aquatic habitat surrounding the project site for breeding and sheltering. Additionally, CRLF may utilize uplands around the project site for migration/dispersal as well as sheltering in small mammal burrows. However, because the adjacent marsh contains saline-tolerant vegetation and the surrounding soils contain contaminants lingering from the prior oil tank farm operations, the Project Biologist concluded that the project site and surrounding area are unlikely to provide suitable CRLF breeding habitat. California tiger salamander (CTS) is also a covered species under the MRHCP. The MRHCP modeled potential upland habitat for CTS within close proximity to the project site. A single CTS was observed in 2017 near the project site. Suitable upland CTS habitat in the form of small mammal burrows where extensive ground squirrel activity has occurred is located within the proposed staging and workspace areas. However, similar to CRLF, it is unlikely that CTS would occupy the surrounding area given the saline-tolerant vegetation in the marsh and the contaminated soils. The Project Biologist determined that the adjacent marsh does not provide a suitable underground habitat for CTS.

Direct impacts to CTS and CRLF resulting from the proposed project may include temporary loss of migration/dispersal, foraging, and/or shelter habitat, and incidental harm, harassment, or mortality to individual CTS or CRLF if the species is present in the workspace during construction. The proposed project would be implemented in the dry season and thus occur when CTS and CRLF are less likely to be traversing in upland habitat and the adjacent wetland is anticipated to not provide suitable breeding habitat. PG&E also obtained an Incidental Take Permit from the California Department of Fish and Wildlife in 2018 to allow the take of specific species, including CRLF, when conducting routine operations and maintenance, such as the subject project. Additionally, to ensure impacts are less than significant, the MRHCP requires the conducting annual training on habitat MRHCP requirements for employees and contractors, inspecting and covering equipment that may trap, injure, or kill species, prohibiting fueling of vehicles within 250 feet of wetlands, installation of exclusionary fencing, and restoration of CTS and CRLF breeding and upland habitat on a 1:1 ratio.

#### Cultural Resources

According to Monterey County GIS, the subject property is identified as being within high archaeological sensitivity area and 750 feet of known archaeological resources. The project specific archaeological report (Monterey County Library No. LIB230258) reviewed previously conducted surveys within 0.25 miles of the Project Site and found no previously recorded prehistoric resources

within 750 feet project site or on the subject property were identified. Further, the pedestrian survey found no evidence of either prehistoric or historic-period archaeological resources or materials within the project site. Therefore, the project site is not known to occur within 750 feet of known archaeological resources and the potential for inadvertent impacts to cultural resources is limited and will be controlled by application of the County's standard project condition (Condition No. 3), which requires the contractor to stop work if previously unidentified resources are discovered.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines section 15284 statutorily exempts projects that involve the installation of a new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline as long as the project does not exceed one mile in length. As proposed, the project involves the inspection and repair of a 350 linear-foot section of an existing PG&E natural gas pipeline. Therefore, the project qualifies for this exemption.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project:

- HCD-Engineering Services
- HCD-Environmental Services
- Environmental Health Bureau
- North County Fire Protection District

LAND USE ADVISORY COMMITTEE

Based on the LUAC Procedure Guidelines adopted by the Monterey County Board of Supervisors, this application did not warrant referral to the LUAC because it does not involve a lot line adjustment in the Coastal Zone, a Design Approval subject to consideration at a public hearing, preparation of an environmental document (Initial Study or Environmental Impact Report), or a Variance.

Prepared by: Fionna Jensen, Senior Planner, x6407

Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Draft Resolution

- Draft Conditions of Approval
- Project plans

Exhibit B - Restoration Plan

Exhibit C - Vicinity Map

cc: Front Counter Copy; North County Fire Protection District; HCD-Engineering Services; HCD- Environmental Services; Environmental Health Bureau; Fionna Jensen, Project Planner; Anna Ginette Quenga, AICP, Principal Planner; Moss Landing Power Company LLC, Property Owner; Leah Parrilla, PG&E (Applicant); Christina McGinnis, Interested Party; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN23015