



Monterey County Planning Commission

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Agenda Item No. 1

Legistar File Number: PC 17-092

November 15, 2017

Introduced: 11/6/2017

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

**PLN170662 - COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY
(RMA) PUBLIC WORKS (PALO COLORADO ROAD REPAIR) Continued from
November 8, 2017.**

Public hearing to consider the construction of three replacement culverts and reconstruction of approximately 1,000 linear feet of Palo Colorado Road and associated tree removal (22 redwoods) within 100 feet of environmentally sensitive habitat, and on slopes exceeding 30 percent. This project is related to RMA-Planning File No. PLN170133 (Emergency Coastal Development Permit)

Project Location: Mile-post 3.0 - 3.5, Palo Colorado Road, Big Sur, Big Sur Coast Land Use Plan, Coastal Zone

Proposed CEQA Action: Statutorily exempt per Section 15269(b) of the CEQA Guidelines.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- a. Find that the project is an emergency repair to publicly or privately owned service facilities, which qualifies as a statutory exemption per Section 15269(b) of the CEQA Guidelines; and
- b. Approve a Combined Development Permit consisting of:
 1. Coastal Administrative Permit and Design Approval to allow construction of three replacement culverts and reconstruction of approximately 1,000 linear feet of Palo Colorado Road;
 2. Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat;
 3. Coastal Development Permit to allow development on slopes exceeding 30 percent; and
 4. Coastal Development Permit to allow removal of 22 redwood trees.

A draft resolution with findings and evidence supporting this recommendation is attached for consideration (**Exhibit B**). Staff recommends approval subject to five (5) conditions.

PROJECT INFORMATION:

Planning File Number: PLN170662

Owner: County of Monterey RMA-Public Works

APNs: 418-131-019/020/023/024/025/026-000

Zoning: RDR/40-D (CZ) [Rural Density Residential, 40 acres per unit, Design Control Overlay (Coastal Zone)]

Flagged and Staked: NA

SUMMARY:

The 2016 Soberanes wildfire, combined with large storm events throughout early January 2017, resulted in significant sediment flows and erosion along Palo Colorado Road between Rocky Creek and Brandon Creek, which damaged the roadbed and culverts. In February 2017, the Monterey

County Zoning Administrator granted an Emergency Coastal Development Permit (ECDP) (**Exhibit E**; RMA-Planning File No. PLN170133) to allow emergency repairs along an approximately 300-foot long section of Palo Colorado Road to stabilize the remaining roadbed. RMA-Public Works proposes to now construct the permanent repairs along Palo Colorado Road and associated culverts at Rocky Creek and Brandon Creek to re-open full access for the public and upgrade the drainage systems to properly and safely convey sediment and water flows during any future 100-year storm events.

DISCUSSION:

The emergency repairs approved in February 2017 by the Zoning Administrator were the minimum required at the time to allow limited access and generally consisted of:

- Repair of a corrugated metal pipe (CMP) culvert inlet at the Rocky Creek crossing;
- Removal of a 30-inch CMP culvert at Brandon Creek and installation of a temporary 48-inch high-density polyethylene culvert;
- Placement of riprap within the riparian area (above the ordinary high water mark [OHWM]) along the bank adjacent to the culvert to prevent the creek from flowing onto the road and degrading the road surface;
- Redirecting the creeks back under the road after stream flows receded; and
- Installation of a temporary bridge.

Residential and emergency access along this section of Palo Colorado Road has been restricted since this time. Subsequent inspection by RMA-Public Works discovered that the existing culvert on Rocky Creek is structurally compromised due to potential punctures, and is unlikely to withstand winter storm flows. The capacity of the existing culverts is limited to less than a 10-year storm event.

The proposed permanent repairs along Palo Colorado Road and associated culverts include additional work that was not part of the ECDP, and generally includes:

- Construction of an 88-foot long by 16-foot-wide by 8.5-foot-high prefabricated metal arch plate culvert (arch culvert) with open (natural) bottom at the Rocky Creek crossing to replace the existing 48-inch and 60-inch culverts;
- Construction of concrete culvert wingwalls at the Rocky Creek crossing inlet and outlet to protect against erosion and ensure the structural stability of the culvert and road;
- Installation of riprap at the inlet and outlet of the Rocky Creek culvert over an approximately 1,400 square foot area to serve as energy dissipation to protect the culvert and road from future erosion;
- Installation of a 7-foot wide temporary pedestrian bridge 100 feet downstream of the Rocky Creek culvert during construction to maintain residential and emergency access;
- Installation of two 48-inch culverts at the Brandon Creek crossing to replace the temporary 48-inch polyethylene culvert;
- Construction of a concrete culvert headwall with a wingwall at the inlet to the Brandon Creek crossing, and a headwall at the outlet;
- Installation of riprap at the inlet and outlet of the Brandon Creek culvert over an approximately 640 square foot area to serve as energy dissipation to protect culvert and road from future compromising erosion;

- Reconstruction of an approximately 1,000 linear foot section of Palo Colorado Road between the Rocky Creek and Brandon Creek crossings;
- Installation of engineered backfill to support the southwest side of Palo Colorado Road where it parallels Rocky Creek;
- Installation of a reinforced concrete storm drain system approximately 290 feet north of the Rocky Creek crossing to drain runoff from the roadway; and
- Removal of 22 redwood trees and associated grading.

Approximately 0.226 acre and 1,392 linear feet of perennial and intermittent creek occur in the proposed project areas at Rocky Creek and Brandon Creek. RMA-Public Works coordinated with and is working to secure approval from all applicable state and federal agencies regarding temporary disturbance in waters of the State, which will occur from the following activities:

- 1) installation of the arch culvert and CMP culverts;
- 2) dewatering structures (i.e., coffer dams);
- 3) access routes to the work area (including temporary pedestrian bridge); and
- 4) temporary work areas surrounding areas of permanent impact (i.e., riprap & headwalls).

The emergency work previously completed at Rocky Creek was authorized by the U.S. Army Corps of Engineers (USACE), under Regional General Permit (RGP) 5 for Repair and Protection Activities in Emergency Situations issued on February 16, 2017 (USACE File Number 2017-00115S).

However, emergency work at Brandon Creek was not included in the issued RGP 5 so it is being included in this application for the permanent project at the request of USACE. State water quality certification has been issued for the work under the provisions of the RGP.

The project has been designed to avoid and/or minimize impacts on waters of the State and sensitive biological resources to the maximum extent practicable. The design options were selected based on the outcomes of a hydrology analysis, consultation with State and Federal Agencies, consideration of technical and logistical feasibility, and potential environmental impacts. The proposed tree removal of 22 redwoods is the minimum necessary to accommodate the proposed design consisting of a series of culverts, wingwalls, and energy dissipating riprap installations which achieve engineering outcomes that significantly reduce the risk of future erosion along the project site. Staff feels that based on all these factors, the proposed project has the least impact possible while still providing the infrastructure to protect future service of this roadway for public health, safety and welfare.

ENVIRONMENTAL REVIEW:

Monterey County, as Lead Agency, has applied a statutory exemption to the project. Section 15269(b) of the California Environmental Quality Act (CEQA) Guidelines statutorily exempts emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare; or specific actions necessary to prevent or mitigate an emergency. Section 15269 also statutorily exempts projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act. On January 23, 2017, Governor Brown issued an emergency proclamation (Executive Order B-38-17), which included Monterey County, to address the road and highway closures caused by severe storms in January 2017. This proclamation included provision for

continuing emergency response, including significant repair and reconstruction work. Therefore, this project is consistent with the requirements of CEQA Guidelines Section 15269, and no additional CEQA action is required by the County.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- RMA-Public Works
- RMA-Environmental Services
- Water Resources Agency
- CalFire Coastal (Fire Protection District)
- Monterey County Resource Conservation District (RCD)
- California Department of Fish and Wildlife (CDFW)
- Central Coast Regional Water Quality Control Board (RWQCB)
- State Historic Preservation Office (SHPO)
- United States Army Corps of Engineers (USACE)
- United States Fish and Wildlife Service (USFWS)
- National Marine Fisheries Service (NMFS)
- Federal Emergency Management Agency (FEMA)

The project was referred to the Big Sur Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on August 29, 2017, voted unanimously (3 - 0) to support the project as proposed (**Exhibit D**).

Prepared by: Joe Sidor, Associate Planner, x5262

Reviewed by: Brandon Swanson, RMA Services Manager

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

- Exhibit A - Draft Resolution, including Conditions of Approval and Plans
- Exhibit B - Vicinity Map
- Exhibit C - Big Sur LUAC Minutes
- Exhibit D - Zoning Administrator Resolution No. 17-010 (February 23, 2017)

cc: Front Counter Copy; CalFire Coastal (Fire Protection District); RMA-Public Works, Applicant; RMA-Environmental Services; Water Resources Agency; Joseph Sidor, Associate Planner; Brandon Swanson, RMA Services Manager; Brock Bradford, Property Owner; Mary Odilia Breen TR, Property Owner; James and Alex Gittings, Property Owner; William and Marilyn Krone TR, Property Owner; William Seebaugh et al, Property Owner; Yale Scher Penzell et al, Property Owner; The Open Monterey Project (Molly Erickson); LandWatch; Monterey County Resource Conservation District; California Department of Fish and Wildlife; Central Coast Regional Water Quality Control Board; United States Army Corps of Engineers; Project File PLN170662