



Legislation Details (With Board Report)

File #: ZA 18-065 **Name:**

Type: Zoning Administrator **Status:** Agenda Ready

File created: 10/3/2018 **In control:** County of Monterey Zoning Administrator

On agenda: 10/11/2018 **Final action:**

Title: PLN160131 - PG&E
Vegetation removal and grading on slopes in excess of 25 percent and within an area designated as environmentally sensitive habitat to increase the ground clearance for PG&E overhead lines.
Project Location: Elkhorn Highlands, between Strawberry Canyon Rd. and Tucker Rd.
Proposed CEQA Action: Mitigated Negative Declaration.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Draft Resolution, 4. Exhibit C - North County LUAC Minutes 4-18-18, 5. Exhibit D - Vicinity Map, 6. Exhibit E - Initial Study - Mitigated Negative Declaration, 7. LET_ZA_PLN160131_101118

Date	Ver.	Action By	Action	Result
10/11/2018	1	County of Monterey Zoning Administrator		

PLN160131 - PG&E

Vegetation removal and grading on slopes in excess of 25 percent and within an area designated as environmentally sensitive habitat to increase the ground clearance for PG&E overhead lines.

Project Location: Elkhorn Highlands, between Strawberry Canyon Rd. and Tucker Rd.

Proposed CEQA Action: Mitigated Negative Declaration.

RECOMMENDATION:

It is recommended that the Zoning Administrator:

- a. Adopt a Mitigated Negative Declaration; and
- b. Approve a Combined Development Permit consisting of:
 - 1. Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat, consisting of grading approximately 106 cubic yards over an area of approximately 895 square feet; and;
 - 2. Coastal Development Permit to allow grading on slopes in excess of 25 percent;

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit B**).

Staff recommends approval subject to 11 conditions.

PROJECT INFORMATION:

Project Owner: Pacific Gas & Electric (easement over various parcels, various property owners)

APNs: 129-281-007-000, 129-281-008-000, and 129-281-009-000.

Zoning: Rural Density Residential, 5 acres per unit (Coastal Zone) [RDR/5 (CZ)]

Parcel Size: Four parcels with a cumulative 23.4 acres (1,1,018,711 square feet).

Flagged and Staked: N/A

SUMMARY:

The purpose of the project is to increase the vertical clearance between the ground and the overhead powerlines

to meet Federal safety guidelines. The project site is located in an area known as the Elkhorn Highlands, approximately two (2) miles east of the Elkhorn Slough, between Strawberry Canyon Road and Tucker Road, on private property with no public access. The scope of this project proposal includes grading activities of 106 cubic yards of soil removed over an area of approximately 895 square feet transecting three (3) parcels. The limit of disturbance (LOD), which includes the area utilized for stockpiling salvaged topsoil and plants, and the area for maneuvering equipment, is approximately 6,880 square feet. Although the maximum depth of grading over the LOD may reach 6 feet, the top soil, (approximately 6 inches), will be separated and stockpiled on site, then redistributed over the disturbed area. Vegetation removal includes approximately 10 Coast live oak seedlings with diameters of approximately one (1) inch, and two (2) Eucalyptus seedlings less than one (1) inch diameter at breast height (DBH). These seedlings are incorporated with various plant species, including non-native plants. Included in this vegetation mix are three plant species of special status from the California Natural Diversity Database (CNDDDB): Hooker's Manzanita, Pajaro Manzanita, and Eastwood's goldenbush. A total of 20 of these plants would be salvaged from the disturbed area and replanted after the stockpiled topsoil has been redistributed. An Initial Study (**Exhibit E**) was prepared for this project, circulated, and was within the review and comment period at the time this report was prepared. Any comments received during this review period would be included as evidence at the public hearing.

DISCUSSION:

Development Standards

There is no structural development associated with this project. No part of the project includes structural development that would be subject to setback requirements, height limitations, or mass or bulk standards. The scope of the project is limited to grading activities, approximately 106 cubic yards over an area of approximately 895 square feet at the confluence of four (4) individually owned parcels, Grading activities and the limits of disturbance (LOD) are located at the confluence of three (3) parcels. The purpose of the project is to comply with Federal safety guidelines as they relate to ground clearance of overhead powerlines, thus enhancing public safety.

Development on Slopes Exceeding 25 Percent

The project includes an application for grading on slopes exceeding 25 percent. The slope in question is, in part, a historic cut slope with gradients of 1:1, the result of grading activities in the 1940s relating to the installation of the powerline. The toe of this slope transitions to the PG&E service road associated with powerline poles 004/024 and 004/025, and would still be present after the grading is completed. A geotechnical investigation and evaluation prepared by Krazan & Associates, Inc. (LIB180189) for the project determined that the site is suitable for the proposed grading (cut). The results of the study indicate there are no adverse geotechnical hazards (such as liquefaction, landsliding, expansive soils) which would preclude the grading operation of this project or that the proposed grading activities would cause or increase any geotechnical hazards. Furthermore, the project, by design pursuant to the grading plans, Sheet EC1, would remove the existing top soil, set it aside on site, and redistribute it over the disturbed area, reseeded, and blanked with a mulch or loose-fiber mat to prevent erosion while the disturbed area regenerates vegetative cover. Therefore, there would be no loss of topsoil relating to this project and conditions would be such that the disturbed area could return to a natural state and not be subject to erosive episodes.

Development within an environmentally sensitive habitat (ESHA)

The project area is designated as an ESHA (Maritime chaparral) but the project location is characterized by fragmented Maritime chaparral and oak forestation. The chaparral in this area is compromised because it is interspersed by non-native trees (Eucalyptus) and other non-native plants and grasses, forestation (Coast live oak), cleared private land, a dirt road, and agriculture. Present within the LOD of the project are three (3) plants of special-status from the California Natural Diversity Database (CNDDDB): Hooker's Manzanita, Pajaro Manzanita, and Eastwood's goldenbush. The limits of disturbance associated with the project, including the

grading location, do not contain any mature trees; the trees identified for removal, approximately 10 Coast live oak and two (2) eucalyptus, are juvenile and are typically about one (1) inch in diameter. The Initial Study addresses how the potential impacts caused by development are being mitigated through design during restoration efforts following the grading activity (Section 4 of the Study). Twenty special-status plants would be removed from the grading area along with the top six (6) inches of topsoil and stockpiled for reintroduction over the disturbed area once grading operations are completed. The top soil and salvaged plants would be stockpiled on a plastic sheet to prevent contamination with weed seeds. Additionally, the topsoil would then be seeded with local native seed stock and either a straw mulch or loose-weave biodegradable mat would blanket the disturbed area to facilitate vegetative restoration of the disturbed area (Sheet EC1 of the grading plan). The project would not have a substantial adverse effect, either directly or through habitat modifications, on any special-status plants other than those identified above. Furthermore, the project site is in an upland area characterized by hills and is not associated with riparian habitat or other sensitive natural community.

LUAC

The project was referred to the North County Land Use Advisory Committee (LUAC) for review (**Exhibit C**). The LUAC reviewed the project at a duly-noticed public meeting on April 18, 2018, at which all persons had the opportunity to be heard, and voted 7 - 1 (7 ayes; 1 no); seven votes to support the project as proposed with one vote against the project as proposed with concerns over erosion control. The project includes incorporation of Best Management Practices (BMPs) during the grading activities followed by restorative measures described above at the conclusion of the grading activity as a means of minimizing possible erosion.

CEQA:

Because of the project's location in a designated environmentally sensitive habitat, an Initial Study was prepared pursuant to Section 15070(b). This study identified less than significant impacts to the environment with mitigation measures incorporated into the project by design. The mitigation measures have been incorporated into all applicable construction plans. The measures include stockpiling the upper (6) inches of top soil removed, on site and on plastic sheets so as to isolate the soil from any weed seeds, and then reapplying the soil to the disturbed area once the grading objectives are met. Additionally, the project does require the removal of approximately 20 special-status plants. As mitigation, the construction plans call for these plants to be salvaged and replanted over the disturbed area once the top soil has been redistributed. The proposed grading does not alter the land form in any significant way, but does increase the vertical distance between the ground and the overhead powerlines over an area of approximately 895 square feet to meet Federal safety guidelines. No evidence of significant adverse environmental effects were identified during staff review of the development application or in the Initial Study prepared for this project. Furthermore, pursuant to Section 15105, the Initial Study was subject to a public review period of 30 days which commenced on September 5, 2018 and will conclude on October 5, 2018. As of the writing of this report, no comments have been made to Monterey County RMA. Should the RMA receive any comments, the comments would be introduced as evidence at the public hearing.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:

- RMA-Public Works
- RMA-Environmental Services
- Environmental Health Bureau
- North County Fire Protection District
- Water Resources Agency

The project was referred to the North County Land Use Advisory Committee (LUAC) for review. The LUAC,

at a duly-noticed public meeting on April 18, 2018, voted 7 - 1 to support the project as proposed.

Prepared by: R. Craig Smith, Associate Planner, x6408

Reviewed by: Brandon Swanson, RMA Planning Services Manager

Approved by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and
Development Services

The following attachments are on file with the RMA:

Exhibit A Project Data Sheet

Exhibit B Draft Resolution, including:

- B-1 Recommended Conditions of Approval
- B-2 Site Plan, grading plan
- B-3 Erosion & Sediment Control / Vegetative Restoration Plan

Exhibit C North County LUAC Minutes (April 18, 2018)

Exhibit D Vicinity Map

Exhibit E Initial Study/Mitigated Negative Declaration

cc: Front Counter Copy; Monterey County Fire Protection District; RMA-Public Works; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; R. Craig Smith, Associate Planner; Brandon Swanson, RMA Services Manager; Pacific Gas & Electric / Paul Marotto, project owner; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN160131.