



Legislation Details (With Board Report)

**File #:** RES 24-042      **Name:** Adopt ISMND for Palo Colorado  
**Type:** BoS Resolution      **Status:** Public Works, Facilities & Parks - Consent  
**File created:** 2/23/2024      **In control:** Board of Supervisors  
**On agenda:** 3/19/2024      **Final action:**

**Title:** a. Adopt a Mitigated Negative Declaration and Initial Study for the Palo Colorado Road Storm Damage Repair Project (Project No. 621071); and  
b. Adopt a Mitigation Monitoring and Reporting Program; and  
c. Ratify the Assumption and Assignment of the Professional Services Agreement between the County and Consor, Inc. and direct staff to proceed with the design of the Palo Colorado Road Repair Project Phase 1B and 2.  
Proposed California Environmental Quality Act (CEQA) action: Adopt a Mitigated Negative Declaration, Initial Study, and Mitigation Monitoring and Reporting Program for the Palo Colorado Road Storm Damage Repair Project No. 621071.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A -Res Mitigation Monitor and Report, 3. Attachment B - Project Budget, 4. Attachment C - Final ISMND, 5. Attachment D - Location Map, 6. Attachment E - Assignment of Agreement, 7. Completed Board Order Item No. 33

Date	Ver.	Action By	Action	Result
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a. Adopt a Mitigated Negative Declaration and Initial Study for the Palo Colorado Road Storm Damage Repair Project (Project No. 621071); and  
b. Adopt a Mitigation Monitoring and Reporting Program; and  
c. Ratify the Assumption and Assignment of the Professional Services Agreement between the County and Consor, Inc. and direct staff to proceed with the design of the Palo Colorado Road Repair Project Phase 1B and 2.

**Proposed California Environmental Quality Act (CEQA) action:** Adopt a Mitigated Negative Declaration, Initial Study, and Mitigation Monitoring and Reporting Program for the Palo Colorado Road Storm Damage Repair Project No. 621071.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a Resolution to:

a. Adopt a Mitigated Negative Declaration and Initial Study for the Palo Colorado Road Storm Damage Repair Project (Project No. 621071); and  
b. Adopt a Mitigation Monitoring and Reporting Program; and  
c. Ratify the Assumption and Assignment of the Professional Services Agreement between the County and Consor, Inc., and direct staff to proceed with the design of the Palo Colorado Road Repair Project Phase 1B and 2.

SUMMARY:

The proposed Palo Colorado Road Storm Damage Repair, Project No. 621071 (Project) includes various repairs, including replacement of damaged asphalt, installation of steel guardrails, installation of retaining walls with either steel soldier pile or soil nail retaining walls, replacement or improvements to existing culverts, and

temporary relocation of utility lines, at 63 discontinuous potential work areas along an approximately 4.8-mile segment of Palo Colorado Road. The project also includes the construction of temporary construction storage areas to serve the proposed work areas. The 63 potential work areas include 13 storm damage retaining wall sites and 44 drainage improvement sites, as well as 20 potential construction storage areas.

An Initial Study and a Mitigated Negative Declaration (IS/MND) have been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) to assess potential environmental impacts of the Palo Colorado Road Storm Damage Repair Project, Project No. 6210. Staff recommends Board of Supervisors adopt the IS/MND and the Mitigation Monitoring and Reporting Program for the Project. Staff also recommends directing staff to continue with the final design for the Project.

#### DISCUSSION:

In 2017, the County of Monterey (County) experienced substantial winter storms that caused significant damage along Palo Colorado Road. County staff, California Office of Emergency Services (Cal OES), and Federal Emergency Management Agency (FEMA) staff performed a site assessment of Palo Colorado Road as soon as the Federal funds became available for the repair of the areas damaged by the winter storms. During the site visit with FEMA, eight (8) locations were identified where Federal funding will be used to repair the road. In addition, 14 culverts, within the Project limits, were identified to be clogged with debris and silt, which will need to be cleaned out.

Based on the 2017 site visit with Cal OES, FEMA and County staff, Cal OES/FEMA approved scope of work eligible for Federal reimbursement for the identified locations, was as follows: clean out road debris and clogged culverts; excavate and reconstruct damaged areas; install soldier-pile walls or soil nail wall; and stabilize the slope along Palo Colorado Road from milepost (MP) 4.0 to milepost (MP) 7.8. However, over the subsequent winter storms additional sections of Palo Colorado were damaged and are included in the Project scope. The road repair methods in the additional sections are consistent with the initial damages experienced in 2017.

On October 21, 2020, the County released RFP #10776 to solicit engineering, design, and environmental services in support of the Project. The County held a pre-proposal site visit where six (6) additional sites were identified as in need of improvements.

On March 23, 2021, the Board of Supervisors approved the Professional Services Agreement (PSA) with Quincy Engineering, Inc. (now, Consor, Inc.) to provide professional engineering design services and environmental services for the Palo Colorado Road Repair Project from milepost 4.0 to 7.8, Project No. 6210, in a total amount not to exceed \$1,605,000. An Assignment and Assumption of the Agreement which assigned the PSA to Consor, Inc., was executed on (October 3, 2022).

An Initial Study and a Mitigated Negative Declaration (IS/MND) have been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) to assess potential environmental impacts of the Palo Colorado Road Repair Project from milepost 2.8 to 7.8, Project No. 6210. A Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration was filed with the Monterey County Clerk on October 9, 2023.

The IS/MND was circulated for a 30-day public review period from October 9, 2023 through November 7, 2023. Comment letters were received during the circulation period of the initial study and mitigated negative declaration. Issues raised in the comment letters have been reviewed and do not require the project mitigations to be changed or modified. The proposed findings for adoption of the IS/MND and MMRP are contained in the draft Board Resolution (Attachment A).

OTHER AGENCY INVOLVEMENT:

Public Works, Parks and Facilities prepared and circulated an Initial Study and Mitigated Negative Declaration for a 30-day public review period through the California State Clearinghouse from October 9, 2023 through November 7, 2023.

FINANCING:

During PSA negotiations staff requested Consor, Inc. to revise the proposal and provide the services in three (3) phases: Phase 1A - 30% Design and Opinion of Environmental Requirements for a total amount not to exceed \$450,000; Phase 1B - 65% Design and Environmental Approval for a total amount not to exceed \$645,000; and Phase 2 - Final Design and Permitting for a total amount not to exceed \$510,000, for a combined total amount not to exceed \$1,605,000.

Staff negotiated an amendment to the PSA between the County and Consor, Inc. to transfer a total of \$70,000 from Phase 2 Final Design and Permitting to Phase 1B to complete Phase 1B. This amendment did not increase the maximum not-to-exceed amount of the PSA. Completion of Phase 1B and Phase 2 of the Project design will be funded by the Road Fund.

The total estimated cost of the Project, including design engineering, environmental, right-of-way, utilities and construction is \$17,250,000. Cal OES/FEMA will partially fund the construction and design of this project. Staff will need to identify future funding sources to construct and complete this project.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action complies with the Board of Supervisors' Strategic Initiatives for Infrastructure and Public Safety.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Reviewed by: Enrique Saavedra, PE, Chief of Public Works

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, and Parks

The following attachments are on file with the Clerk of the Board:

Attachment A - Resolution Exhibit A - Mitigation Monitoring and Reporting Program

Attachment B - Project Budget

Attachment C - Initial Study and Mitigated Negative Declaration

Attachment D - Location Map

Attachment E - Assumption and Assignment of Agreement