



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: ZA 16-024 **Name:**
Type: Zoning Administrator **Status:** Agenda Ready
File created: 8/1/2016 **In control:** Monterey County Zoning Administrator
On agenda: 8/11/2016 **Final action:**
Title: PLN150266 - COUNTY OF MONTEREY (VICTORINE RANCH MUTUAL WATER COMPANY)
Public hearing to consider action on a Combined Development Permit to allow the construction of two replacement wells and associated site improvements within 100 feet of environmentally sensitive habitat.
Proposed CEQA Action: Categorical Exemption per CEQA Guideline Section 15304(f)
21447 Highway 1, Carmel, Big Sur Coast Land Use Plan

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Draft Resolution, 4. Exhibit C - Vicinity Map, 5. Exhibit D - LUAC Minutes 11-10-15, 6. ZA Resolution 16-028

Date	Ver.	Action By	Action	Result
8/11/2016	1	Monterey County Zoning Administrator		

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RECOMMENDATION:

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

- Determine this project is Categorically Exempt per CEQA Section 15304(f);
- Approve a Combined Development Permit consisting of 1) a Coastal Administrative Permit to allow the construction of two replacement wells for the Victorine Ranch Mutual Water System and associated site improvements; and 2) a Coastal Development Permit to allow development within 100 feet of an environmentally sensitive habitat area (ESHA), based on the findings and evidence and subject to 10 conditions of approval (**Exhibit B**).

PROJECT INFORMATION:

Land Owner: County of Monterey

Applicant: Victorine Ranch Mutual Water Company

APN: 243-221-018-000 and 243-211-019-000

Parcel Size: 76.2 acres

Agent: Dale Ellis with Anthony Lombardo and Associates

Flagged and Staked: No

Zoning: "WSC/40-D (CZ)" Watershed and Scenic Conservation/40 acres per unit - Design Control District in the Coastal Zone

SUMMARY:

The Victorine Ranch Mutual Water Company (VRMWC) provides domestic water supply to the Victorine Ranch subdivision. This system is permitted for up to 9 connections and currently provides water service to 5 residences. The VRMWC is currently served by one well located on privately owned property (APN 243-221-026-000) and utilizes water utility easements on property owned by the County of Monterey (APNs 243-221-018-000 and 243-221-019-000) for distribution lines and a 50,000 gallon water storage tank.

VRMWC is seeking a permit to replace this existing well and to install a secondary well to ensure adequate supply for up to 9 connections. VRMWC plans to install a replacement well on the “Upper Well Site” located near the existing water storage tank. Depending on the quality of the water supply of this well, the VRMWC may install a second new well near the existing well “Lower Well Site” when the current well fails.

There is an existing easement for water tanks, water lines and access. The area within and surrounding this easement consists of native grasslands, which is listed as Environmentally Sensitive Habitat Area in the Big Sur Land Use Plan. Development within 100 feet of ESHA requires a Coastal Development Permit. When the original easement was granted and existing improvements approved, it was determined that impacts to native grasslands could be mitigated through hydroseeding with native grass seed. A biological report prepared for this project confirms that impacts to grassland can be mitigated in this manner.

Staff finds the proposal consistent with the Big Sur Land Use Plan and recommends approval of the Combined Development Permit. Approval of this permit is contingent (conditioned) on VRMWC obtaining additional easement area from the County of Monterey to support the proposed improvements. If VRMWC is unable to obtain the necessary easement, then they cannot install wells in the proposed locations.

DISCUSSION:

In 1995, the County of Monterey became the owners of two parcels totaling 76.2 acres (APNs 243-221-018-000 and 243-221-019-000) through a land acquisition under Prop 70, along with an existing non-exclusive easement for roadway, utilities and pipelines for Victorine Ranch Mutual Water Company. The existing infrastructure includes access roads, distribution lines and one 50,000-gallon water tank located on these two parcels. In this particular application, VRMWC is the applicant, and the County of Monterey is the property owner. The proposed wells are outside the easement area, so the easements need to be expanded to allow the well areas. VRMWC needs to apply to the County to receive permission to expand the easement. If this is not accomplished, the wells cannot be drilled in the locations proposed.

The current well located on the privately owned property, was put in service in 1989 and is reaching the end of its useful life. The well has only 20 feet of viable perforations remaining. Two new pumps have been installed over the last five years as the well casing became increasingly plugged which is further evidence of the anticipated failure of the existing well equipment.

Multiple alternative locations have been considered for the proposed wells. A hydrogeologist analyzed alternative locations on private property within the Victorine Ranch subdivision and determined they were not viable. The report recommends the “upper” and “lower” well site locations because:

- 1) Structural hydrogeology favors finding groundwater at these two well sites,
- 2) Well sites do not require any tree or native vegetation removal and are outside of archaeological areas,
- 3) Well sites meet necessary setbacks from sanitary lines, septic tanks, and leach fields; and
- 4) Well sites are located as close as feasible to the existing easements while ensuring that the well locations would maintain the ability to obtain groundwater in fractured rock while minimizing environmental impacts.

Staff concurs with these findings.

Installation of the replacement and secondary wells will require minor modifications to the existing easements - both for the permanent well pads (225 square feet for the upper site and 284 square feet for the lower site) and for temporary construction work (under 3,000 square feet per site). Permitting for these new well sites will be contingent on amending the easement document. Condition 5 requires the applicants to have easements recorded prior to commencement of any work. The location of these easements is shown on the exhibit titled "Well Siting Map" and these easements are further delineated in Attachments 2 and 3.

Native grassland was identified within the well site locations. Native grassland is listed as Environmentally Sensitive Habitat Area in the Big Sur Land Use Plan. A biological report was prepared and stated that impacts to grassland can be mitigated by replanting or hydro seeding all disturbed areas with locally-occurring native grassland species. This was also the finding when the original easement and associated improvements were approved for VRMWC. Condition 10 requires the applicant to replant or hydroseed the disturbed areas with locally-occurring native grassland species once the wells have been installed.

CEQA Guidelines Section 15304 allows a Categorical Exemption of projects for minor trenching and backfilling where the surface is restored. Digging a well will involve some disruption to the surface including a well head and trenching for installation of water lines. The surface area will be restored, and the native grassland can be completely restored in areas of disturbance. The area of the wellhead itself will be the only area that will remain un-restored. This is only several square feet in area which is *de minimis*. Therefore it is found that this project is consistent with CEQA Guidelines Section 15304(f).

OTHER AGENCY INVOLVEMENT:

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

√ RMA-Public Works
RMA-Environmental Services
Environmental Health Bureau
CDF - Coastal FPD
Water Resources Agency
California Coastal Commission

The proposed project was reviewed by the Big Sur Land Use Advisory Committee on November 10, 2015. The LUAC recommended approval of the project as proposed by a vote of (4-0 vote) (**Exhibit D**). They recommended to Monterey County that they remove invasive species from County land.

FINANCING:

Funding for staff time associated with this project is included in FY 2015-2016 Adopted Budgets for RMA-Planning.

Prepared by: Elizabeth Gonzales, Associate Planner, Ext. 5102

Reviewed by: John Ford, RMA Services Manager, Ext. 5178

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

Attachments:

Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:
 • Conditions of Approval
 • Site Plan, Floor Plan, and Elevations,

Exhibit C Vicinity Map
Exhibit D Land Use Advisory Committee Minutes

cc: Front Counter Copy; Zoning Administrator; John Ford, RMA Services Manager; CDF- Coastal Fire; RMA Public Works; Environmental Health Bureau; Water Resources Agency; Dale Ellis, agent for Victorine Ranch Mutual Water Company (Applicant); George Salcido, County of Monterey (Property Owner); California Coastal Commission; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Office of Board of Supervisors District 5; Project File PLN150266