



Legislation Details (With Board Report)

File #: ZA 18-072 **Name:**
Type: Zoning Administrator **Status:** Agenda Ready
File created: 11/27/2018 **In control:** County of Monterey Zoning Administrator
On agenda: 12/6/2018 **Final action:**
Title: PLN170715 - STATE OF CALIFORNIA (CALTRANS)
Public hearing to consider the Follow-On Coastal Development Permit to an Emergency Coastal Development Permit (PLN170214) which allowed the demolition and removal of the Pfeiffer Canyon Bridge and the construction of a new single-span steel girder bridge in Big Sur.
Project Location: State Route 1, from Post Mile 45.4 to 45.8, Big Sur Land Use Plan, Coastal Zone
Proposed CEQA Action: Statutorily Exempt per Section 15302 of the CEQA Guidelines

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Draft Resolution, 3. Exhibit B - Big Sur LUAC Minute 9-12-17, 4. Exhibit C - Vicinity Map, 5. Exhibit D - Letter from Coastal Commission 3-20-18, 6. RESza_18-068_PLN170715_120618

Date	Ver.	Action By	Action	Result
12/6/2018	1	County of Monterey Zoning Administrator		

PLN170715 - STATE OF CALIFORNIA (CALTRANS)

Public hearing to consider the Follow-On Coastal Development Permit to an Emergency Coastal Development Permit (PLN170214) which allowed the demolition and removal of the Pfeiffer Canyon Bridge and the construction of a new single-span steel girder bridge in Big Sur.

Project Location: State Route 1, from Post Mile 45.4 to 45.8, Big Sur Land Use Plan, Coastal Zone

Proposed CEQA Action: Statutorily Exempt per Section 15302 of the CEQA Guidelines

RECOMMENDATION:

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

- Find that the project is the reconstruction of an existing structure on the same site as the previous structure which qualifies as a Class 2 Categorical Exemption per section 15302 of the CEQA Guidelines, and that there are no exceptions pursuant to Section 15300.2;
- Approve a Follow-On Coastal Development Permit to an Emergency Coastal Development Permit (PLN170214) which allowed the demolition and removal of the Pfeiffer Canyon Bridge and the construction of a new single-span grade 50 steel girder bridge that is 315 feet in length, 40 feet wide, and approximately 120 feet high. The bridge width includes two 12-foot-wide lanes, 6-foot-wide shoulders, and 2 feet on each side for bridge rail; and
- Approve a Coastal Development Permit for development within 100 feet of ESHA.

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

Staff recommends approval subject to four (4) conditions.

PROJECT INFORMATION:

Project Owner: State of California Department of Transportation (Caltrans)

APN: 419-031-002-000, 419-311-015-000, 419-311-016-000 & 419-311-030-000

Zoning: Watershed and Scenic Conservation, 40 acres per unit with Design Control Overlay (Coastal

Zone) [WSC/40-D (CZ)], Public and Quasi Public with Design Control Overlay [PQP-D (CZ)], and Open Space Recreation with Design Control Overlay (Coastal Zone) [OR-D (CZ)]

Parcel Size: 977.35 acres

Flagged and Staked: Not applicable

SUMMARY:

Located on Highway 1, the project site is approximately one mile south of the Pfeiffer Big Sur State Park entrance between Post Mile 45.4 to 45.8. In early 2017, a large landslide occurred under the Pfeiffer Canyon bridge and extended up the canyon more than 300 feet, along the northerly side of Pfeiffer Gulch. This landslide de-stabilized the bridge column and was causing the bridge to fail. No reasonable bypass existed outside of the State's right of way. The situation demanded immediate action to prevent or mitigate circumstances that were detrimental to the safety, comfort, and general welfare of the persons occupying and working in the area, as well as the south coast of Big Sur. This project is the follow-up Coastal Development Permit to an Emergency Permit (PLN170214) allowing the demolition and removal of the existing Pfeiffer Canyon Bridge and the construction of a new single-span bridge in the same location.

DISCUSSION:

Project Overview

This Follow-On Coastal Development Permit is for the already completed demolition and removal of the Pfeiffer Canyon Bridge and the construction of a new single-span grade 50 steel girder bridge that is 315 feet in length, 40 feet wide, and approximately 120 feet high at the same location. The bridge width includes two 12-foot-wide lanes, 6-foot-wide shoulders, and 2 feet on each side for bridge rail. The project is located on Highway 1 about 2.3 miles north of Castro Canyon Bridge and 0.8 miles south of Big Sur River Bridge. Removal and installation of new utility poles and overhead lines were also necessary to accommodate the new bridge placement. Moreover, tree removal was necessary for construction; as such, Caltrans replanted the equivalent number and type of trees after construction was complete (**Exhibit A**).

Cause of Emergency

In early 2017, a large landslide, approximately 10 feet deep, displaced a bridge support column of the Pfeiffer Canyon Bridge, adversely impacting the bridge's support structure. California Department of Transportation (Caltrans) predicted that if the bridge had not been demolished, it would have eventually collapsed. Therefore, Caltrans applied for an Emergency Permit with the RMA on March 10, 2017, to demolish and rebuild the existing bridge in order to continue the essential services of Highway 1 which serves residents and visitors. Reconstruction was complete several months later and the bridge reopened in October 2017. The bridge connects residents of Big Sur to the rest of the County.

Land Use

Emergency Coastal Development Permits are allowed through Chapter 20.79 of the Monterey County Coastal Implementation Plan (Part 1), which designates the Zoning Administrator as the appropriate authority. The project site falls under the Big Sur Coast Land Use Plan in the Coastal Zone. The Big Sur Land Use Plan allows bridge maintenance so long as it does not substantially interfere with the natural shoreline, and it requires the design criteria of bridges are in harmony with the rustic natural setting of the Coast. Finally, reconstruction of this bridge complies with the zoning of the five parcels surrounding the project site which are zoned Watershed and Scenic Conservation, 40 acres per unit with Design Control Overlay; Public and Quasi Public with Design Control Overlay; and Open Space Recreation with Design Control Overlay.

Coastal Commission

On March 20, 2018, the Resource Management Agency received a letter from the California Coastal Commission requesting a landscape restoration plan in order to restore the areas disturbed during the bridge

reparation, as well as undergrounding all electrical and telecommunication wires within boundaries of the project (**Exhibit D**). As such, Caltrans has submitted a planting plan and staff has included a non-standard condition of approval for implementation (Condition No. 3). Caltrans has also submitted a utility relocation plan dated November 15, 2018, and staff has included a condition of approval for implementation of the undergrounding utilities as well (Condition No. 4).

Other Regulatory Agencies & Permitting

On February 22, 2017, the California Department of Transportation (Caltrans) notified US Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), California State Parks, Monterey County Resource Management Agency, and the California Coastal Commission of the emergency. On February 23, 2017, USFWS acknowledged receipt of the emergency notification and in doing so initiated emergency consultation procedures pursuant to the regulations implementing Section 7 of the Endangered Species Act of 1973, as amended (50 CFR 402.05). On February 23, 2017, USFWS and NMFS staff provided recommended conditions for avoidance to USACE (**Attachment A**). Also on February 23, 2017, Monterey County responded with concurrence of emergency authorization with the requirement of a follow-up Coastal Development Permit. On February 24, 2017, the USACE issued a Notice of Intent to issue a permit, authorizing emergency activities pursuant to Regional General Permit (RGP) 5. On February 28, 2017, the California Coastal Commission responded with concurrence that they did not require additional authorization for the emergency work to commence. On March 3, 2017, Caltrans hosted a conference call open to all regulatory agency staff to provide additional details and address any questions or concerns. Also on March 3, 2017, RWQCB staff provided recommended discretionary avoidance and minimization measures to USACE (listed below). On March 14, 2017, California State Parks issued an Emergency Right of Entry for the project. On March 16, 2017, the USACE issued concurrence that the project qualifies for authorization under Department of the Army Regional General Permit (RGP) No. 5 for Repair and Protection Activities in Emergency Situations.

ESHA:

The project includes application for development within 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the Big Sur Coast Land Use Plan (LUP) and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required. Policies in Chapter 3.3 of the Big Sur Coast LUP are directed at maintaining, protecting, and where possible enhancing sensitive habitats. As designed and installed, the project is consistent with applicable policies regarding protection of habitat.

The project limits include the known range of several special-status animals (e.g.; Smith's blue butterfly, condors, and the California red-legged frog) and contain a variety of sensitive habitats (e.g., Central Coast Scrub and Upland Redwood Forest). Therefore, Caltrans completed a biological survey to assess the project impacts (**Attachment A**). As noted in the survey, the site and surrounding area was highly disturbed from the landslide and individual special status species were not anticipated to be present during construction. The survey concluded that there were no anticipated effects on sensitive species, including the California red-legged frogs (including designated critical habitat) or Smith's blue butterflies. In addition, a no effect determination has been made for all other species in the CNDDDB query and the USFWS species list received for this project.

In order to complete the project, Caltrans had to remove some trees within and adjacent to the project limits. As part of the emergency approval, the Coastal Commission requested CalTrans to replant them according to a plan approved by the County. As such, Caltrans has submitted a planting plan per the County's conditions of approval to satisfy this request.

In addition to the request from the Coastal Commission, and as part of the Emergency Permit, the US Fish and Wildlife Service (USFWS) recommended discretionary measures that were incorporated as special conditions of approval into the US Army Corps of Engineers' RGP No. 5 for Repair and Protection Activities in Emergency Situations. These conditions are listed in the attached biological survey prepared by CalTrans.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines Section 15302 statutorily exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. This project involved demolition and reconstruction of a bridge on Highway 1 that had been destabilized by a landslide. The work authorized by Emergency Coastal Development Permit (PLN170214) allowed the demolition and reconstruction of the bridge per Section 15269(b) of the CEQA Guidelines, which statutorily exempts emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare. Given previous environmental reports written by the California Department of Parks and Recreation and Caltrans, no evidence of significant adverse environmental impacts was identified during staff review of the development application. Therefore, this follow-on Coastal Development Permit is consistent with the parameters of Section 15302.

None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, unusual circumstances that would result in a significant effect, development that would result in a cumulatively significant impact, nor development in a particularly sensitive environment. The technical reports prepared for the project do not identify any potential significant or cumulative impacts, and no evidence of significant adverse environmental effects were identified during staff review of the development application. The project does involve development located within view of a state-designated scenic highway; however, based on staff site inspections, the project has not resulted in adverse impacts to visual resources.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:

RMA-Public Works
RMA-Environmental Services
Environmental Health Bureau
Water Resources Agency

LUAC:

The project was referred to the Big Sur Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on September 12, 2017, voted 3-0 to support the project as proposed.

Prepared by: Yasmeen Hussain, Associate Planner, x6407

Reviewed by: Brandon Swanson, RMA Services Manager

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

The following attachments are on file with the RMA:

Exhibit A Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plans

- Planting Plan
- Utility Relocation Plan
- Biological Survey

Exhibit B Big Sur LUAC Minutes (September 12, 2017)

Exhibit C Vicinity Map

Exhibit D Letter from Coastal Commission (March 20, 2018)

cc: Front Counter Copy; California Coastal Commission; RMA-Public Works; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; Yasmeen Hussain, Associate Planner; Brandon Swanson, RMA Services Manager; Caltrans, Property Owner; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN170715