



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR Stinson Beach County Water District Coastal Permit

Item No:	H.1	Application No:	CP 10-9
Applicant:	Stinson Beach County Water District	Owners:	Stinson Beach County Water District
Property Address:	Panoramic Highway, Stinson Beach	Assessor's Parcel:	119-040-41
Hearing Date:	September 16, 2010	Planner:	Kristina Tierney, Planner

RECOMMENDATION: Approve with Conditions
LAST DATE FOR APPEAL: September 30, 2010
LAST DATE FOR ACTION:

PROJECT DESCRIPTION

The applicant is requesting a Coastal Permit to construct a new well and above ground well house at the Steep Ravine water tank site. The well would be drilled to a depth of 250 to 300 feet deep and is anticipated to produce up to 25 gallons per minute. The new well would increase the reliability of the Stinson Beach County Water District's total water supply and to serve as a replacement source in lieu of surface water during dry periods. The project site is currently developed with a 210,000 gallon water storage tank. The well house would be 7.8 feet high and 35 square feet and be located 8 feet from the southerly front property line, 11 feet northwest of the existing water tank, 43 feet from the westerly side property line, and 33 feet from the northerly rear property line. Associated improvements also include installation of approximately 50 feet of underground pipe and 90 feet of underground electrical line. All of the facilities will be installed on a graveled and previously-graded area within the existing parcel. Installation of the utility lines and underground water line will require minor trenching to a depth of approximately 2 feet within the existing graded and graveled area. The new well pump will be installed below ground, and will not be audible from the ground surface. Well drilling spoils will be contained within a portable tank and disposed of off-site. Site construction activities are anticipated to last one to two days. Backup power when needed will be supplied by a portable generator; no backup generator will be stored on site.

GENERAL INFORMATION

Countywide Plan:	C-OS (Coastal, Open Space)
Zoning:	OA (Open Area)
Lot size:	0.6 acres
Adjacent Land Uses:	Open Space
Vegetation:	Ruderal vegetation and native and non-native trees
Topography and Slope:	Flat to moderately sloping
Environmental Hazards:	None identified

ENVIRONMENTAL REVIEW

An Initial Study has been prepared for the project pursuant to the requirements of the California Environmental Quality Act by WRA Associates, with the Stinson Beach County Water District acting as Lead Agency. A Mitigated Negative Declaration (MND) was filed with the Marin County Recorders Office on June 30, 2010 after satisfying all CEQA requirements. All potentially significant adverse effects of the project and the appropriate mitigation measures are discussed in the Initial Study. The mitigation measures have been incorporated as recommended conditions of project approval.

PUBLIC NOTICE AND COMMENTS

The Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and giving the earliest possible decision date in accord with California Government Code requirements. This notice has been mailed to all property owners within 600 feet of the subject property. One comment was received regarding the relocation of the telephone poles.

PLAN CONSISTENCY

As recommended for approval with conditions, the proposed project is consistent with the goals and policies of the Local Coastal Program, Unit I. Please refer to the plan consistency findings III in attached recommended resolution.

PROJECT ANALYSIS

The proposed water well will support the Stinson Beach County Water District's ability to provide water service to the Stinson Beach community. The new well will increase the reliability of the reliability of the Stinson Beach County Water District's total water supply and to serve as a replacement source in lieu of surface water during dry periods. During summer weekends, tens of thousands of visitors come to the Stinson Beach community and surrounding parks. Accommodating the seasonal demand fluctuations created by such visitors presents a challenge to the District's ability to meet peak demand while maintaining adequate storage, including emergency reserves for firefighting.

The new well will help meet this need without causing environmental damage, as demonstrated by the MND prepared by the applicant and supplemental materials submitted by Stetson Engineers, Inc. Water resources would not be affected, as the new well will not adversely affect nearby Webb Creek or deplete groundwater aquifers. Webb Creek will not be affected as data shows the well is not likely to be hydrologically connected to the creek. Several factors contribute to this including the vertical and horizontal distance of the well to the creek, the well's low water yield (25 gallons per minute), and local faulting which may act as a barrier to flow between the creek and the well. Regarding the depletion of groundwater aquifers, the well will capture percolating groundwater, not tap and deplete an existing groundwater aquifer. See Section III, Water Supply of the attached resolution for further discussion. Biological resources would not be affected as no tree removal is proposed and appropriate mitigation measures have been recommended by the MND and incorporated into the project as conditions of project approval. Grading will be minimized and there will be no disturbance to natural habitat.

The proposed project is consistent with the required findings for approval of a Coastal Permit contained in Chapter 22.56I of the Marin County Code.

CONCLUSION

Staff has conducted a site visit, reviewed all submittal information and finds that all the mandatory findings for a Coastal Permit can be made, and that all efforts have been made to minimize grading and prevent disturbance to sensitive habitat.

RECOMMENDATION

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached Resolution conditionally approving the Stinson Beach County Water District Coastal Permit application.

ATTACHMENTS

1. Proposed Resolution recommending conditional approval of the Stinson Beach County Water District Coastal Permit
2. Location Map
3. Assessor's Parcel Map
4. Project Plans
5. Stetson Engineers, Inc memo, September 2, 2010
6. Stinson Beach County Water District memo, August 5, 2010
7. Stinson Beach County Water District memo, November 4, 2009
8. California Coastal Commission memo, July 15, 2010
9. California Coastal Commission memo, September 3, 2009
10. Department of Public Works, Land Development memo, August 26, 2009
11. Marin County Environmental Health Services memo, August 25, 2009

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION XX-XXX

A RESOLUTION CONDITIONALLY APPROVING THE STINSON BEACH
COUNTY WATER DISTRICT COASTAL PERMIT
PANORAMIC HIGHWAY, STINSON BEACH
ASSESSOR'S PARCEL 119-040-41

SECTION I: FINDINGS

- I. WHEREAS the Stinson Beach County Water District is requesting a Coastal Permit to construct a new well and above ground well house at the Steep Ravine water tank site. The well would be drilled to a depth of 250 to 300 feet deep and is anticipated to produce up to 25 gallons per minute. The new well would increase the reliability of the Stinson Beach County Water District's total water supply reliability and to serve as a replacement source in lieu of surface water during dry periods. The project site is currently developed with a 210,000 gallon water storage tank. The well house would be 7.8 feet high and 35 square feet and be located 8 feet from the southerly front property line, 11 feet northwest of the existing water tank, 43 feet from the westerly side property line, and 33 feet from the northerly rear property line. Associated improvements also include installation of approximately 50 feet of underground pipe, 90 feet of underground electrical line. All of the facilities will be installed on a graveled and previously-graded area within the existing parcel. Installation of the utility lines and underground water line will require minor trenching to a depth of approximately 2 feet within the existing graded and graveled area. The new well pump will be installed below ground, and would not be audible from the ground surface. Well drilling spoils will be contained within a portable tank and disposed of off-site. Site construction activities are anticipated to last one to two days. Backup power when needed will be supplied by a portable generator; no backup generator will be stored on site. **The subject property is located on Panoramic Highway at the Steep Ravine water tank site in Stinson Beach, and is further identified as Assessor's Parcel 119-040-41.**
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on September 16, 2010, to consider the merits of the project, and hear testimony in favor of, and in opposition to, the project.
- III. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve a Coastal Permit (Marin County Code Section 22.56.130I) and finds that this project conforms to the requirements of Local Coastal Program, Unit I, as follows:

A. Water Supply

The proposed well will help facilitate the Stinson Beach County Water District's ability to serve water to the Stinson Beach community and its visitors. The new well will provide operational flexibility, allowing the District to alternate between use of well water and surface water supplies. It would particularly increase the reliability of supply during summer periods of peak demand. The well is not intended to nor will it increase overall capacity to support new development. Additionally, the increased operational flexibility and supply reliability

provided by the new well will help the District replenish storage tank depletions and increase fire protection.

The project is in conformance with LCP Unit 1 policies on public services and water supply. Public Services Policy 1 requires that utility service expansions be limited to the minimum amount necessary to serve development as identified by LCP land use policies. LCP policies on Location and Density of New Development identified a potential build-out for Stinson Beach of 900 dwelling units. Actual growth in the area has been much slower than projected with only 685 single family homes being served by the Stinson Beach County Water District's service area in 2008. This is far below the growth permitted by the LCP. The new well will assist meeting peak demand associated with public use of visitor-serving facilities operated by the state and federal governments, not to support new residential development.

The anticipated yield of the well is approximately 25 gallons per minute (gpm). During dry periods when demand is high due to coastal visitors, the District can produce potable water at a rate of approximately 160 gpm from all existing sources of supply. Therefore, 25 gpm represents approximately 15 percent of the District's existing production capacity (160 gpm) during peak demand periods.

The project is in conformance with Public Services Policy 1 because there is no expansion or new development associated with the project, the project would serve the existing tourist and visitor population.

In addition to Public Services Policy 1, the project is also in compliance with LCP Unit 1 Water Supply Policy 4, which states:

"New community and mutual water wells serving 5 or more parcels shall demonstrate by professional engineering studies, including as necessary, long-term monitoring programs, that such ground water withdrawal will not adversely affect coastal resources, including groundwater aquifers. Such engineering studies shall provide the basis of establishing safe sustained yields from these wells"

In order to demonstrate compliance with these policies, the applicant submitted a memorandum from Peter Pyle, P.G., C.Hg with Stetson Engineers Inc (dated October 27, 2009) and a more detailed report by Stetson Engineers dated August 5, 2010. These professional reports conclude new well would not adversely affect groundwater aquifers or the surface water resources of Webb Creek. Groundwater aquifers would not be affected as the production zone for the proposed well is not considered an aquifer in the conventional sense. The well will be drilled in fractured, hard rock, and water pumped from the well would be classified as "percolating groundwater", as opposed to groundwater in a subterranean stream flowing through a known and definite channel that contributes to a surface water source (utilizing the State Water Resources Control Board's terminology).

The reports by Stetson Engineers demonstrate that Webb Creek would be unaffected by the project. The proposed well would be drilled in a hard-rock geologic formation which has a very low permeability and other geologic characteristics (such as faults and folds) which will limit the yield of the well and the area of influence affected by the well. As the distance between the well and the creek increases, the likelihood of a flow connection between the well and the creek decreases, simply because there is more impediment to flow created by the increased distance, or volume of rock, through which water must pass. The proposed well will be located over 400 feet (laterally) from Webb Creek and the perforations in the well

casing (the screened interval through which water is drawn into the well) are planned for 50 to 150 feet vertically below the creek bed elevation. Stetson states that these distances are sufficiently far enough such that the nature of the geology (low permeability, faults, and other impediments to flow) and the distance, or the volume of rock formation separating the well from the creek, will limit the yield of the well and the well's area of influence, thereby preventing potential adverse impacts to Webb Creek.

Therefore, as the project would serve the existing tourist population in the Stinson Beach community and not increase development potential while avoiding impacts to water resources.

B. Septic System Standards

The project has no septic system as the project site would not have any onsite employees or a residence that would require a septic system. The applicant, the Stinson Beach County Water District is responsible for septic systems in the project area.

C. Grading and Excavation

Total grading and excavation would be limited to the amount necessary to construct the 35 square foot well house. Excavation would total 2.0 cubic yards and fill would total 1.2 cubic yards. The Department of Public Works, Land Use and Water Resources Division, has reviewed and approved the project to ensure consistency with Marin County requirements.

D. Archaeological Resources

A review of the Marin County Archaeological Sites Inventory Maps on file in the Planning Division indicates that the subject property is not located in an area of high archaeological sensitivity. Conditions of project approval would require that if archeological resources are discovered during site preparation or construction, the applicants would have to follow archeological preservation protocol, including cessation of work and evaluation by a qualified archeologist to determine if any modification to the project would be required.

E. Coastal Access

The subject property is not located between the sea and the first public road, or adjacent to a coastal area identified by the Local Coastal Program Unit 1, where public access is desirable or feasible. The site is not located near any tidelands or submerged lands subject to the public trust doctrine.

F. Housing

The proposed project would not negatively affect the housing stock of the Stinson Beach community because it does not involve demolition.

G. Stream and Wetland Resource Protection

The proposed project is not situated in an area subject to the County streamside conservation policies as identified on the Natural Resources Map for Unit 1 of the Local Coastal Program and is located over 300 feet from Webb Creek.

H. Dune Protection

The proposed project is not located in a dune protection area as identified by the Natural Resources Map for Unit 1 of the Local Coastal Program.

I. Wildlife Habitat

The Natural Resources Map for Unit 1 of the Local Coastal Program and the California Natural Diversity Database indicate that the subject property is not located in an area potentially containing rare wildlife species. The Mitigated Negative Declaration prepared for the project did not identify any potential impacts to wildlife or wildlife habitat.

J. Protection of Native Plant Communities

The Natural Resources Map for Unit 1 of the Local Coastal Program and the California Natural Diversity Database indicates that the subject property is located in an area containing the Marin checker lily (*Fritillaria lanceolata* var. *tristulis*). The Mitigated Negative Declaration prepared for the project did not identify any potential impacts to native plants or native plant communities.

K. Shoreline Protection

The proposed project is not located adjacent to the shoreline or within a bluff erosion zone.

L. Geologic Hazards

Review of the Alquist-Priolo Special Studies Zone maps indicates that the subject property does not lie within the delineated boundaries of the San Andreas Fault zone. Two faults are located in the vicinity of the project site, however. The project site could be subject to seismic ground shaking in the event of an earthquake. Structures will be constructed to current earthquake standards and will not be used for human habitation or as other type of shelter. Active human presence at the site will continue to be minimal.

M. Public Works Projects

The proposed project will not affect any existing or proposed public works project in the area.

N. Land Division Standards

No land division is proposed as part of this project.

O. Visual Resources

The project entails the construction mostly below grade improvements and a modest 7.8 foot high, 35 square foot well house. The project site is located on a hairpin turn off Shoreline Highway, adjacent to the Mount Tamalpais State Park, behind a stand of Eucalyptus trees and next to an existing 36 foot high water tank. The project would not impact any neighbors or visual resources in the area.

P. Recreation/Visitor Facilities

The proposed project would not provide commercial or recreational facilities, and the project site is not governed by VCR (Village Commercial Residential) zoning regulations which require a mixture of residential and commercial uses have any impact upon recreation or visitor facilities. It does, however, facilitate water service to visitors by ensuring adequate water supply to the Stinson Beach community.

Q. Historic Resource Preservation

The subject property is not located within any designated historic preservation boundaries of the Stinson Beach Community as identified in the Marin County Historic Study for the Local Coastal Program, and the proposed project does not entail alterations to a structure that was constructed prior to 1931.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Stinson Beach County Water District Coastal Permit (CP 10-9) subject to the following conditions:

Community Development Agency – Planning Division

1. Construction plans shall substantially conform to plans identified as “Exhibit A,” entitled, “Proposed Well at Steep Ravine Tank Site,” consisting of 3 sheets prepared by Stetson Engineers Inc., dated October 27, 2009 and received November 5, 2009, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
2. Approved exterior building materials and colors shall substantially conform to the color/materials sample board which is identified as “Exhibit B,” prepared by Stetson Engineers, dated November 5, 2009, and on file with the Marin County Community Development Agency including:
 - a. Tan wood siding
 - b. Grey composite shingle roof
 - c. Aqua blue double doors

All flashing, metal work, and trim shall be treated or painted an appropriately subdued, non-reflective color.

3. The applicant shall revise the site plan or other first sheet of the office and job site copies of the plans to list these Coastal Permit conditions of approval as notes.
4. Before application for the well drilling permit with Environmental Health Services, the applicant must submit a proposed long-term groundwater monitoring program for review by the Community Development Agency.
5. Exterior lighting shall be located and/or shielded so as not to cast glare on nearby properties.
6. If archaeological, historic, or prehistoric resources are discovered during construction, construction activities shall cease, and the Community Development Agency staff shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may occur in compliance with State and Federal law. A registered archeologist, chosen by the County and paid for by the applicant, shall assess the site and shall submit a written report to the Community Development Agency staff advancing appropriate mitigations to protect the resources discovered. No work at the site may recommence without approval of the Community Development Agency staff. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Community Development Agency staff. If the report identifies significant resources, amendment of the permit may be required to implement mitigations to protect resources. Additionally, the identification and subsequent disturbance of an Indian midden requires the issuance of an excavation permit by the Department of Public Works in compliance with Chapter 5.32 (Excavating Indian Middens) of the County Code.
7. All construction activities shall comply with the following standards:

- a. Construction activity is only permitted between the hours of **7:00 a.m. and 6:00 p.m., Monday through Friday**, and **9:00 a.m. and 5:00 p.m. on Saturday**.. No construction shall be permitted on Sundays and the following holidays (New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day). Loud noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) can be maintained, operated, or serviced at the construction site from 8:00 a.m. to 5:00 p.m. Monday through Friday only. Minor jobs (e.g., painting, hand sanding, sweeping) with minimal or no noise impacts on the surrounding properties are exempted from the limitations on construction activity. At the applicant's request, the Community Development Agency staff may administratively authorize minor modifications to these hours of construction.
 - b. It shall be the responsibility of the applicant to ensure that all construction materials and equipment are stored on-site (or secured at an approved off-site location) and that all contractor vehicles are parked in such a manner as to permit safe passage for vehicular, pedestrian, and bicycle traffic at all times.
8. All utility connections and extensions (including but not limited to electric, communication, and cable television lines) serving the development shall be undergrounded from the nearest overhead pole from the property, where feasible as determined by the Community Development Agency staff
 9. The applicant/owner hereby agrees to defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations.
 10. Any changes or additions to the project shall be submitted to the Community Development Agency in writing for review and approval before the contemplated modifications may be initiated. Construction involving modifications that do not substantially comply with the approval, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications are obtained by the applicant.

(The following condition incorporates the mitigation measures contained in the Initial Study and Negative Declaration. The respective mitigation/monitoring measure it implements is listed at the end of the condition.)

11. Ground disturbance and any tree removal shall occur between September 1st and January 31st. If it is not possible to conduct work during this period, pre-construction surveys should be conducted within 15 days prior to tree removal to determine if nesting birds are present. If nesting birds are observed during pre-construction surveys, trees containing nests will be avoided and a suitable buffer will be established around occupied nests until all nesting young birds have fledged. Buffer distance is species-specific and would need to be determined by a qualified biologist. As part of the pre-construction breeding bird survey, it is also recommended that the woodland area be surveyed for the potential presence of roosting bats. The site has a low potential to support these species due to the existing level of disturbance, but edge habitat preferred by many bat species is abundant in the area. If trees are removed between September 1 and October 31, no bat roost surveys would be necessary **(Mitigation Measure Bio-1)**.

Community Development Agency – Environmental Health Services

12. The well must be drilled under permit from Environmental Health Services and conform to the requirements in the Waterworks Standards and the Well Bulletin in regards to well construction for a public water system, including but not limited to the installation of a check valve, vent, sampling port, flush valve, and production meter.
13. The water district is expected to apply for a permit amendment with the State agency and receive approval prior to adding the well to the water system.

SECTION III: VESTING, PERMIT DURATION, AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant/owners must vest the Stinson Beach County Water District Coastal Permit (CP 10-9) approval by substantially completing all approved work by September 16, 2012, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 30 days before the expiration date above and the Deputy Zoning Administrator approves it. An extension of up to four years may be granted for cause pursuant to Section 22.56.120I of the Marin County Code. Failure to comply with the conditions of this approval will result in the invalidation of the approvals.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a \$600.00 filing fee must be submitted in the Community Development Agency - Planning Division, Room 308, Civic Center, San Rafael, no later than **4:00 p.m. on September 23, 2010.**

SECTION IV: ACTION

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 16th day of September 2010.

JEREMY TEJIRIAN, AICP
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Recording Secretary