



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

STAFF REPORT TO THE MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Caltrans Coastal Permit 2011-0329

RECOMMENDATION: **Approval**
HEARING DATE: **January 12, 2012**

| | | | |
|------------------------------|--|-----------------------|--|
| Project ID No: | 2011-0329 | Applicant: | Michelle Ray, California Department of Transportation |
| Agenda Item: | 2. | Owner: | State of California |
| Last Date for Action: | January 26, 2012 | Assessor's Parcel No: | Adjacent to 199-040-53 |
| | | Property Address: | State Highway 1, Stinson Beach, Post Mile Marker 11.04 |
| | | Project Planner: | Curtis Havel chavel@co.marlin.ca.us (415) 507-2755 |
| | | Signature: | |
| Countywide Plan Designation: | C-OS (Coastal, Open Space) | | |
| Community Plan Area: | Not applicable | | |
| Zoning: | C-OA (Coastal, Open Area) | | |
| CEQA: | Categorically Exempt per Section 15301, Class 1(d) of the CEQA Guidelines | | |

PROJECT DESCRIPTION

The California Department of Transportation (Caltrans) is proposing to repair storm damage located downslope of the underground drainage culvert located at approximately post mile 11.04 (adjacent to Assessor's Parcel 199-040-53). The proposed repair work entails installation of grouted steel bar anchors into the slope along with wire mesh attached to the exterior ends of the anchors, and use of "rock slope protection" at the outlet of the existing culvert. The proposed project is necessary to minimize future erosion potential and to stabilize the roadway.

PROJECT SETTING

The proposed project is located at the storm drainage outlet of the Webb Creek culvert that runs underneath Highway 1 at post mile marker 11.04. This portion of Highway 1 is not an officially designated scenic route, although it is eligible for consideration. Caltrans conducted a biological study of the project location and found that the dominant vegetation in the project area consists of oats (*Avena Fatua*), red brome (*Bromus rubens*), and fennel (*Foeniculum vulgare*). The project area did not contain any special status plant or animal species.

DISCUSSION AND ANALYSIS

The California Department of Transportation (Caltrans) is proposing to affect repairs to a severely eroded area downslope of the culvert that conveys Webb Creek under Highway 1. The repairs and maintenance of the downslope area will prevent further erosion and sedimentation of Webb Creek, and prevent slipping soils and potential future landslides underneath that portion of Highway 1. Coastal Permit approval from the County of Marin is required because the project is located in Mount Tamalpais State Park (as opposed to Federal lands).

For the purposes of environmental review, the Marin County Planning Division is considered a responsible agency, and as such is not required to supplement the California Department of Transportation's CEQA determination. The California Department of Transportation, as the lead agency for the project, determined that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15301, Class 1 because it entails repair and maintenance of an existing major highway that provides access to residents and visitors, and would not result in potentially significant impacts to the environment (please refer to Attachment 3).

Pursuant to Section 101.3 of the 2007 California Building Code and Section 23.08.030(2)(a) of Title 23 the Marin County Code, the proposed project is exempt from County Building and Grading Permit requirements because the project entails the repair and maintenance of a major highway that would be performed by a public agency that assumes full responsibility for the project. However, the project is not exempt from State mandated regulatory requirements. Therefore, as mentioned earlier in this staff report, the applicant is required to obtain Coastal Permit approval from the Marin County Community Development Agency.

Vistas and views along Highway 1 will not be negatively impacted by the proposed project because the project occurs below the road level and is partially screened by existing vegetation and changes in topography. The project incorporates natural materials (rocks) that will quickly weather and blend into the surrounding terrain. Although there will be a change in the visual character at the project site, the changes are considered brief and unobtrusive to the traveling public in a visual context.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached resolution approving the Caltrans Coastal Permit 2011-0329.

- Attachments:
1. Proposed Resolution recommending approval of the Caltrans Coastal Permit 2011-0329
 2. Location Map
 3. Categorical Exemption/Categorical Exclusion Determination Form provided by the California Department of Transportation
 4. Letter from the California Department of Transportation, December 2, 2011
 5. Coastal Development Permit Application prepared by the California Department of Transportation entitled, "Highway 1 Repair and Maintenance, Marin County, State Route 1, Post Mile 11.04" undated, and further referenced as "Exhibit A."
 6. Biological Compliance Memo, prepared by the California Department of Transportation, June 22, 2010
 7. Hydraulic Report, prepared by the California Department of Transportation, August 26, 2011
 8. Revised Scenic Resource Evaluation, prepared by the California Department of Transportation, July 19, 2011

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION _____

A RESOLUTION APPROVING THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
COASTAL PERMIT 2011-0329
STATE HIGHWAY 1 AT POST MILE 11.04
ADJACENT TO ASSESSOR'S PARCEL 199-040-53

SECTION I: FINDINGS

- I. WHEREAS the California Department of Transportation submitted a Coastal Permit to undertake repair and maintenance activities to repair storm damage located downslope of the underground drainage culvert located at approximately post mile 11.04 (adjacent to Assessor's Parcel 199-040-53). The proposed repair work entails installation of grouted steel bar anchors into the slope along with wire mesh attached to the exterior ends of the anchors, and use of "rock slope protection" at the outlet of the existing culvert. The proposed project is necessary to minimize future erosion potential and to stabilize the roadway. The project is adjacent to Assessor's Parcel 199-040-53.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on Thursday, January 12, 2012 to consider the merits of the project, and hear testimony regarding the project. The Community Development Agency, Planning Division has provided public notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing in accordance with California Government Code requirements. This notice has been mailed to all property owners within 600 feet of the subject property and to interested parties and organizations.
- III. WHEREAS the Marin County Deputy Zoning Administrator finds that the California Department of Transportation, as the lead agency for the project, determined that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15301, Class 1 because it entails repair and maintenance of an existing major highway facility that provides access to residents of and visitors to Stinson Beach, and would not result in potentially significant impacts to the environment. As a responsible agency, the County Planning Division is not required to supplement the California Department of Transportation's CEQA determination.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Coastal Permit approval (Section 22.56.130 of the Interim Marin County Code) pursuant to the requirements and objectives of the Local Coastal Program, Unit I as described below.
 - A. Water Supply:

The proposed project does not require or entail the construction of a water supply system.
 - B. Septic System Standards:

The proposed project does not require or entail the construction of a septic system.

C. Grading and Excavation:

The grading associated with the project is to repair the slope below a major roadway that provides access to Stinson Beach and other populated areas to the north. The amount of grading that will occur is the least amount necessary to conduct the repairs, and to allow for safe passage through this section of Highway 1.

D. Archaeological Resources:

The proposed project involves the excavation and fill of materials from a previously disturbed area. Therefore, it is highly unlikely that the project would disturb cultural resources.

E. Coastal Access:

The project will not impact the access to the Steep Ravine cabins. Furthermore, the project would not restrict the public's ability to access the shoreline in the surrounding areas.

F. Housing:

The proposed project does not involve the demolition or conversion of housing affordable to households of lower or moderate income.

G. Stream and Wetland Resource Protection:

The project entails repairs to the area downslope of the culverted portion of Webb Creek that flows underneath Highway 1 at post mile 11.04. The introduction of rock slope protection secured by wire mesh will prevent further erosion and sedimentation of Webb Creek, and will prevent the soils underneath that portion of Highway 1 from further sliding and instability. A biological report prepared by the California Department of Transportation has indicated that the project site does not contain any listed plant or animal species or communities, and that the project site does not provide habitat for spawning fish due to prohibitively steep inclines below the project site. The project includes the installation of native landscaping to further stabilize soils and minimize sedimentation/erosion.

H. Dune Protection:

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

I. Wildlife Habitat:

The biological report prepared by the California Department of Transportation indicated that the project site does not contain plant or animal species listed on the Department of Fish and Game's Natural Diversity Database Maps, and does not provide significant habitat for wildlife. The repair work will not remove significant amounts of vegetation because the project site has been previously disturbed through construction activities and erosion.

J. Protection of Native Plant Communities:

The project site does not contain a significant number or type of nonindigenous, invasive plant species which would threaten the preservation or reestablishment of native plant species, either on or off the site.

K. Shoreline Protection:

The project is not located within a designated bluff-top erosion zone. Furthermore, the repair work is required to provide continued access to coastal-dependant land uses that occur in Stinson Beach and other nearby coastal communities.

L. Geologic Hazards:

Highway 1 is constructed in an area that is notoriously susceptible to soil movement. The repair project is to prevent future soil instability near and around this stretch of Highway 1.

M. Public Works Projects:

The proposed project will not detract from the rural scenic characteristics of the existing roadway, does not entail water or sewer improvements, and will conform to the resource and visual policies of the Local Coastal Program.

N. Land Division Standards:

No land division or property line adjustment is proposed as part of this project.

O. Visual Resources:

The project consists of limited earthwork activities (excavation and fill) to repair the area downslope of an existing culvert. The materials used to repair the area downslope of the culvert are natural (rocks) and will blend into the surrounding environment. The project includes installation of vegetation to further stabilize soils and visually soften the project site. Finally, the project site is not visually prominent from motorists traveling along Highway 1, is not visually prominent from hiking trails in the area, and would not interfere with panoramic views of the Pacific Ocean and surrounding foothills.

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.

Q. Historic Resource Preservation:

The project site is not located within the designated historic preservation boundaries as identified in the Marin County Historic Study for the Local Coastal Program.

SECTION II: CONDITIONS OF APPROVAL

NOW THEREFORE BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the California Department of Transportation Coastal Permit 2011-0329 subject to the conditions of approval listed below.

1. Pursuant to Marin County Code Section 22.56.130I, and consistent with "Exhibit A," entitled, "Highway 1 Repair and Maintenance, Marin County, State Route 1, Post Mile 11.04," prepared by the California Department of Transportation, this approval hereby authorizes repair and maintenance activities to repair storm damage located downslope of the underground drainage culvert located at approximately post mile 11.04 (adjacent to Assessor's Parcel 199-040-53). The approved repair work entails installation of grouted steel bar anchors into the slope along with wire mesh attached to the exterior ends of the anchors, and use of "rock slope protection" at the outlet of the existing culvert. The approved project is necessary to minimize future erosion potential and to stabilize the roadway.

This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. The Community Development Agency Director may administratively authorize modifications to the approved project and land use requirements that are determined to be minor and consistent with the findings herein.

SECTION III: VESTING AND APPEAL RIGHTS

NOW, THEREFORE BE IT RESOLVED that the project is vested upon approval and termination of the appeal period. The project shall be valid for a period of 2 years. An extension of up to four additional years may be granted for cause pursuant to Section 22.56.120I of the Marin County Code if the applicant applies for an extension at least 30 days before the expiration date above and the Deputy Zoning Administrator approves it.

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 **12:00 p.m. on January 20, 2012.**

SECTION IV: ACTION

PASSED AND ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 12th day of January, 2012.

BENJAMIN BERTO, AICP
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary