



MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

**STAFF REPORT TO THE MARIN COUNTY
DEPUTY ZONING ADMINISTRATOR**

Caltrans Coastal Permit 2012-0203

RECOMMENDATION: Approval
HEARING DATE: October 25, 2012

Project ID No:	2011-0203	Applicant:	Jeffrey Jensen, California Department of Transportation
Agenda Item:	1.	Owner:	State of California
Last Date for Action:	October 25, 2012	Assessor's Parcel No:	Adjacent to 119-020-20
		Property Address:	State Route 1, Point Reyes Station, Post Mile Marker 31.25
		Project Planner:	Curtis Havel (415) 473-2755
		Signature:	
Countywide Plan Designation:	C-AG-1 (Coastal, Agricultural, 1 unit to 30-60 acres)		
Community Plan Area:	Not applicable		
Zoning:	C-APZ-60 (Coastal, Agricultural Production Zone)		
CEQA:	Categorically Exempt per Section 15301, Class 1(c) of the CEQA Guidelines (per Caltrans)		

PROJECT DESCRIPTION

The California Department of Transportation (Caltrans) is proposing to install a 270-foot long subsurface pile wall under the State Route 1 roadway adjacent to Assessor's Parcel 119-020-20. The roadway work is required to address erosion of the roadway embankment adjacent to the southbound travel lane and Grandi Canyon Gulch Creek. The project includes installation of a new, 350-foot-long steel railing (replacing the existing metal beam railing). The proposed project will not alter existing rock slope protection (RSP) or surrounding vegetation.

PROJECT SETTING

The proposed project is located approximately 480 feet west of the turnoff for Point Reyes Vineyards and approximately 1 mile south of the turnoff for the Giacomini Dairy along State Route 1. Grandi Canyon Gulch Creek flows underneath State Route 1 and along the southerly boundary of the highway from east to west ultimately draining into Tomales Bay. The repair work will begin just west of the existing culvert and extend approximately 350 feet to the west. Caltrans requested a formal consultation from the U.S. Fish and Wildlife Service. Through the consultation process, Caltrans proposed 15 different project measures to avoid and minimize potential effects to the California red-

legged frog including but not limited to biological monitoring, preconstruction surveys, worker training and construction site best management practices. Those measures are included with this project and identified as Exhibit B.

DISCUSSION AND ANALYSIS

The California Department of Transportation (Caltrans) is proposing to affect repairs to an eroded area of the southbound lane of State Route 1 along Grandi Canyon Gulch Creek. Heavy rain/weather events have caused soils to erode along the roadway embankment. This repair is considered an emergency repair and will address roadway stabilization underneath that portion of State Route 1. Future project phases will address rock slope protection (RSP) and installation of new culverts to address creek hydraulics. Coastal Permit approval from the County of Marin is required because the project is located in the Caltrans road right of way.

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 4).

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 will not entail changes to the surrounding vegetation or topography. The new steel railing will replace the existing railing and extend its length approximately 350 feet. Although there will be a minor 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 2012-0203.

- Attachments:
1. Proposed Resolution recommending approval of the Caltrans Coastal Permit 2012-0203
 2. Location Map
 3. Aerial Photo
 4. Categorical Exemption/Categorical Exclusion Determination Form provided by the California Department of Transportation
 5. Letter from the California Department of Transportation, and Environmental Review Questionnaire - Attachment A – Grand (sic) Canyon Gulch Project Description, July 5, 2012
 6. Plans entitled "project Plans for Construction on State Highway 1 in Marin County About 2.7 Miles North of Point Reyes Station," prepared by State of California

Department of Transportation, dated June 12, 2012, consisting of 23 pages, and further referenced as "Exhibit A."

7. Biological Opinion for the Proposed State Route 1 Grand (sic) Canyon Gulch Creek Slope Stabilization Project, Marin County, California (Caltrans EA 4S4500), prepared by the United States Department of the Interior Fish and Wildlife Service received July 9, 2012 and dated May 10, 2012 and further referenced as "Exhibit B."

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION _____

A RESOLUTION APPROVING THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
COASTAL PERMIT 2012-0203
STATE HIGHWAY 1 AT POST MILE 31.25
ADJACENT TO ASSESSOR'S PARCEL 119-020-20

SECTION I: FINDINGS

- I. WHEREAS the California Department of Transportation submitted a Coastal Permit to undertake repair and maintenance activities to install a 270-foot long subsurface pile wall under the State Route 1 roadway adjacent to Assessor's Parcel 119-020-20. The roadway work is required to address erosion of the roadway embankment adjacent to the southbound travel lane and Grandi Canyon Gulch Creek. The project includes installation of a new, 350-foot-long steel railing (replacing the existing metal beam railing). The project is adjacent to Assessor's Parcel 119-020-20.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on Thursday, October 25, 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 Point Reyes Station, Marshall, and the East Shore of Tomales Bay, 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 II 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 stabilize the southbound lane in the vicinity of post mile marker 31.2. 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 State Route 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 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 stabilize the southbound lane of State Route 1 along Grandi Canyon Gulch Creek. The repairs will not affect surrounding vegetation or rock slope protection. The biological opinion prepared by fish and game has indicated that the project would not significantly impact red legged frog habitat.

H. Dune Protection:

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

I. Wildlife Habitat:

The consultation prepared by the U.S. Department of Fish and Game concluded that the project incorporates design measures to avoid and minimize potential impacts to the presence of the California red-legged frog. The proposed project does not entail removal of surrounding vegetation because the proposed work is limited to the existing roadway and stays within the road right-of-way easement. Finally, the repair work will occur in an area that 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 Point Reyes Station, Marshall, along the East Shore of Tomales Bay, and other nearby coastal communities.

L. Geologic Hazards:

State Route 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 State Route 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 stabilize the existing roadway. The project does not propose the removal of vegetation and would include replacement of the existing rails. Although the new roadway would be approximately one foot wider, the change in width is not visually prominent to motorists traveling along State Route 1, is not visually prominent from hiking trails in the area, and would not interfere with panoramic views of Tomales Bay and surrounding ridgelines.

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 2012-0203 subject to the conditions of approval listed below.

1. Pursuant to Marin County Code Section 22.56.130I, and consistent with "Exhibit A," entitled, "Project Plans for Construction on State Highway 1 in Marin County About 2.7 Miles North of Point Reyes Station," prepared by the California Department of Transportation, dated June 12, 2012 and consisting of 23 pages, and "Exhibit B," entitled, "Biological Opinion for the Proposed State Route 1 Grand (sic) Canyon Gulch Creek Slope Stabilization Project, Marin County, California (Caltrans EA 4S4500)," prepared by the United States Department of the Interior Fish and Wildlife Service received July 9, 2012 and dated May 10, 2012, this approval hereby authorizes repair and

maintenance activities to repair damage to the southbound lane of State Route 1 along Grandi Canyon Gulch Creek located at approximately post mile 31.25 (adjacent to Assessor's Parcel 119-020-20). The approved repair work entails installation of a 270-foot long subsurface pile wall under the State Route 1 and includes installation of a new, 350-foot-long steel railing (replacing the existing metal beam railing). The approved project is necessary 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 November 8, 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 25th day of October, 2012.

BENJAMIN BERTO, AICP
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary