

MONTEREY COUNTY PLANNING COMMISSION

Meeting:	December 14, 2005 at 11:15 a.m.	Agenda Item: 9
Project Description:	Combined Development Permit Consisting of a Coastal Development Permit (PLN050585/Caltrans-Hermitage Slope) and Design Approval to allow the construction and installation of a 525' long, 25' high (average) tieback retaining wall on slopes greater than 30% between Post Mile R21.9 and Post Mile R22.1; Replacement of culvert and guardrail; Paving of north and southbound shoulders, and the relocation of 3,340 cubic yards of fill material 200 feet south of the project site.	
Project Location:	Highway 1 Right-Of-Way, between Post Mile R21.9 and Post Mile R22.1, Big Sur Area, Coastal Zone: A. 422-011-017-000 (Retaining Wall) B. 422-011-021-000 and 422-011-020-000 (Disposal Site)	
Plan Area:	Big Sur Land Use Plan	
Zoning:	A. VSC-D(CZ) B. WSC/40-D (CZ)	Flagged and Staked: Yes
CEQA Action:	Categorical Exemption	
Date Application Deemed Complete:	November 14, 2005	
Department:	Planning and Building Inspection	

RECOMMENDATION: Staff recommends that the Planning Commission:

- 1) CERTIFY that the Commission reviewed and considered the information, and affirms the conclusions contained in the California Department of Transportation's Categorical Exemption adopted by the Environmental Office Chief for the California Department of Transportation on June 23, 2005.
- 2) APPROVE PLN050585 (Caltrans-Hermitage Slope) based on the Findings and Evidence (**Exhibit B**) and subject to proposed Conditions (**Exhibit C**).

OVERVIEW: The California Department of Transportation (Caltrans) has submitted an application to construct and install a 525' long, 25' tall (average) soldier tieback retaining wall designed to stabilize the failing Hermitage Slope located between post mile R21.9 and post mile R22.1, State Route 1, Big Sur. In addition to the retaining wall, the project further includes the replacement of an existing culvert and guardrail, and paving of both the north and southbound shoulders immediately adjacent to the retaining wall. Approximately 3,340 cubic yards of excavated soil from the wall site will be relocated to a nearby existing soil compound site approximately ¼ of a mile south on the easterly side of Highway 1. Drilling for wall support piles will occur during night time hours (9pm to 6am) over 60 days, at which time both lanes of Highway 1 will be closed from post mile R21.9 to post mile R22. During the day time hours, traffic will move through this area using one lane. Project specifications include traffic management and noise abatement to reduce noise and traffic impacts below a significant level.

While components of the project will be momentarily visible to travelers along Highway 1, Staff finds that the project will not damage or intrude upon the critical viewshed. Visual impacts will be minimized naturally due to the contours of the surrounding landforms, and by using colors and materials consistent with the surrounding area. The receiving site is currently scarred by historic landsliding activities and overrun by invasive plants. The project design and specifications require that the area be revegetated and

restored with native plants and grasses to be consistent with the surrounding environment. No sensitive species will be removed as a result of the project. The project as proposed will not alter the current alignment of Highway 1 and construction is expected to last a period of ten months from May 2006 to March 2006. There are no unresolved issues remaining for this project.

As Lead Agency, Caltrans prepared a categorical exemption from the California Environmental Quality Act finding that the project did not have the potential to cause any significant environmental impacts (See Exhibit "D"). Staff has reviewed the exemption, and as a responsible agency did not expose any new evidence that would alter Caltrans' determination.

OTHER AGENCY INVOLVEMENT: The following agencies have reviewed the project and none have comments or have recommended conditions:

Water Resources Agency
Environmental Health Division
Public Works Department
Fire Protection District
Parks Department

This report prepared by: _____
Shandell Frank, Associate Planner; (831) 755-5185; franks@co.monterey.ca.us

This report reviewed by Jeff Main, AICP, Planning Manager, Coastal Team.

cc: Planning Commission (10); County Counsel; Health Department; Public Works; California Department of Forestry; Monterey County Water Resources Agency; California Coastal Commission; Jeff Main; Shandell Frank; Lisa Johnson (Caltrans); Project File

Attachments: Exhibit "A" Discussion of Proposed Project
Exhibit "B" Findings and Evidence
Exhibit "C" Recommended Conditions of Approval
Exhibit "D" Categorical Exemption
Exhibit "E" Project Plans
Exhibit "F" Vicinity Map

Notes: 1. This project is appealable to the Board of Supervisors and the California Coastal Commission.
2. The studies referenced as attachments to the Categorical Exemption are available for review upon request.

EXHIBIT “A” DISCUSSION OF PROPOSED PROJECT

Background

In an effort to improve highway safety and mitigate landsliding along the Big Sur Coast, the California Department of Transportation (Caltrans) has submitted an application to install a soldier tieback retaining wall between post mile R21.9 and post mile R22.1, Hermitage Slope area, Highway 1. The project area is subject to severe landslides that disrupt traffic flow, especially during the winter months when rains activate the unstable slopes. Alternatives to the project included reconstruction of the embankment, construction of a cribwall, and the construction of a slab bridge. The associated geotechnical report, located in project file PLN050585, concluded that a soldier



pile tieback retaining wall was the most appropriate alternative due to current site conditions. Constructed elements within the project vicinity include a 100m long concrete viaduct with concrete safety rail near Rainrocks, an 80m long concrete cribwall below the road, utility poles and associated wires, a 5m high, 60m long rock-catching dirt berm on the inland side of Pitkins Curve, two landslide disposal sites below the highway and various drainage facilities.

Included in the application is the grading and relocation of 3,340 cu. yd. of cut material. Caltrans, the Department of Parks and Recreation, and a private landowner have cooperatively agreed to relocate the cut material on the easterly side of Highway 1, approximately 400 meters south of the proposed retaining wall. The receiving site is roughly 1,700 square meters (slightly less than one-half acre) in size. The same area was used to dispose of landslide material during an emergency highway repair in the winter of 1998. The excavated material will be permanently relocated at the disposal site. During construction, the site will be used as a staging area and upon completion will be revegetated with native plants and grasses.

Project Description

Project implementation includes the installation of a 525' long, 25' tall (average) soldier pile tieback retaining wall along the outside shoulder of southbound Highway 1. Vertical steel piles will be constructed in drilled holes with perpendicular tie-backs extending under the roadway. Horizontal timber lagging will be stacked behind the vertical soldier piles and the piles will be encased with concrete. During pile drilling operations, a minimum of one-lane will be open during daylight hours and will be controlled by a temporary signal, at which time a 15-minute traffic delay is expected. Drilling and installation will also occur during nighttime hours from 9pm to 6am for approximately 60-days at which time Highway 1 will be closed in both directions from PM 21.9 to PM 22.1. There are two sensitive receptors near the project site, the Sam Farr compound (Point 16) and the Camaldoli Hermitage. These receptors are located

approximately 2369 feet and 2848 feet away from the retaining wall location. Construction noise levels at the wall site are expected to be 78.5-dBA at 100 feet, 71-dBA at 200 feet, and 63.5-dBA at 400 feet. As such, no significant construction related noise impacts are anticipated. As per Caltrans' *Special Provisions*, noise levels from the Contractor's operations between the hours of 9pm and 6am shall not exceed 86-dBA at a distance of 50 feet.

Approximately five to eight contractors and one Caltrans representative are expected to be on-site during construction and implementation of the project. In an effort to make comprehensive repairs, the following elements are also included as part of the Combined Development Permit:

- Replacement of an existing 600mm (24-inch) diameter culvert beneath the roadway with the addition of a 70m (230-feet) long down drain;
- Widening of reestablished roadway to provide two 10-ft wide lanes in both directions and a 4-ft wide southbound shoulder;
- Existing sections of metal beam guardrail will be replaced by a 225 m steel-backed timber guardrail, and
- Removal and relocation of 3,340 cu. yd. of cut material.

Construction and restoration activities are expected to last a period of approximately 10 months beginning May 2006. There will be project level lighting associated with the nighttime construction. However, Staff visited the site on November 17, 2005, and determined that no residential properties or sensitive receptors are located in close enough proximity to be disturbed by the proposed lighting. During the daylight hours, traffic through this area will be controlled by a temporary traffic light and delays are expected to last approximately 15 minutes. Motorists traveling on Highway 1 will be notified of the delay and nighttime closures via signage located in Big Sur and San Simeon.

Revegetation and restoration of the disposal site will occur consistent with the Big Sur Coast Highway Management Plan (CHMP) *Best Practices for Site Restoration*. As such, low-growing native grasses will be seeded over the disposal site and haul road along with the planting of locally occurring shrubs. Treatment of the retaining wall area will consist of the hydroseeding of native species along with a surface application of duff, compost or erosion control blanket as dictated by site conditions. As per Caltrans specifications, noxious weeds are required to be identified and removed prior to the relocation of any excavated materials. This practice is consistent with the Big Sur Land Use Plan Policy 3.3.1 (Environmentally Sensitive Habitat). The project has been conditioned accordingly to ensure the establishment of native species and removal of invasives.

Critical Viewshed

Monterey County's Big Sur Coast Land Use Plan defines all areas that are visible from Highway 1 as "critical viewshed." The retaining wall location and the disposal site are both momentarily visible to vehicles traveling on Highway 1 and are therefore considered part of the critical viewshed. Although development is generally not allowed within the critical viewshed, road maintenance and safety improvements (Policy 3.2.5.C.1) are allowed if they meet specific visual criteria to minimize visibility. In accordance with the *Coast Highway Management Plan*, the Hermitage Slope project was designed and sited to protect the adjacent roadway from further landsliding, and will be constructed and overlain with natural wood materials and beige

earthtone colors representative of the surrounding soil and rock material. The project as proposed will not decrease visual access to the ocean from the highway nor from any pullouts or public use areas. There are no existing whitewater views within the project limits due to the elevation of the roadway and the steepness of the slope below it.

Transportation Standards

The proposed project, in its entirety, will not introduce incongruous elements to the highway corridor nor will it result in a loss of native vegetation. There will be no substantial increase in the amount of guardrail or paving and no increase in signage will occur as a result of the proposed project. New paving will replace the irregular, patched sections of cracked asphalt that characterize the highway at this location. Revegetation and restoration using native plants and grasses will occur at both the wall and disposal site prior to project completion. Staff visited the site on November 17, 2005 and finds that visual impacts have been minimized to a level of less than significant, and that the project complies with Section 20.145.130 B. of the Big Sur Coastal Implementation Plan.

Environmentally Sensitive Habitat

Existing biological conditions at both the retaining wall site and the disposal site are dominated by non-native invasive species, mainly Jubata grass (*Cortaderia jubata*), and loose, unconsolidated slide material. No sensitive habitat or sensitive species have been identified in the project locations. However, Seacliff Buckwheat, which is host plant to the Federally Endangered Smith's blue butterfly, is present throughout the Big Sur Coast. No buckwheat plants will be removed as a result of the project and those in the vicinity will be flagged for avoidance. Staff finds that biological impacts have been minimized to a level of less than significant.

Development on Slopes Greater than 30%

County regulations generally prohibit development on slopes greater than 30% (§20.64.230 Title 20). However, the development is allowed if there is no feasible alternative. The retaining wall is designed to serve as a buttress for the failing Hermitage Slope. Therefore, it is intended to be placed in areas of steep slopes to stabilize the eroding embankment below the roadway. Staff finds that no feasible alternatives exist for the development to occur on slopes less than 30%.

EXHIBIT “B”
RECOMMENDED FINDINGS AND EVIDENCE
FOR PLN050585 (HERMITAGE SLOPE)

1. FINDING: CONSISTENCY – The Hermitage Slope Combined Development Permit (PLN050585), as described in Condition #1, and as conditioned, is consistent with the plans, policies, requirements and standards of the Local Coastal Program (LCP). The LCP for this site consists of the Big Sur Coast Land Use Plan, Big Sur Coast Coastal Implementation Plan (Part 3), Part 6 of the Coastal Implementation Plan, and Part 1 of the Coastal Implementation Plan (Title 20 Zoning Ordinance).

EVIDENCE: (a) The application and plans submitted for the Combined Development Permit in project file PLN050585 at the Monterey County Planning and Building Inspection Department.

(b) The applicant provided the Monterey County Planning and Building Inspection Department with a Design Approval Request, drawings, and a statement of materials and colors to be used.

(c) The properties are located at Assessor’s Parcel Numbers 422-011-017-000, 422-011-021-000 and 422-011-022-000, Big Sur area in the Coastal Zone. The parcels are zoned “WSC/40-D (CZ),” (Watershed and Scenic Conservation, 40-acre minimum, Design Control District, Coastal Zone), and “VSC-D (CZ),” (Visitor Serving Commercial, Design Control District, Coastal Zone).

(d) The project planner conducted a site visit on November 17th, 2005, to verify that the proposed project complies with the LCP. The project as designed will not have a significant adverse effect on the public viewshed. The project is located within a Design Control District and has been conditioned accordingly to meet the goals and policies pursuant to Section 20.44 of the Coastal Implementation Plan (Title 20 Zoning Ordinance).

(e) No evidence of public controversy or public opposition as described in Section 20.76.060, Title 20 Zoning Ordinance (Part 1 of the Monterey County Coastal Implementation Plan) exists.

(f) The project as proposed will not alter the existing alignment of Highway 1, introduce incongruous elements to the area, nor increase the amount of signage within the project vicinity. The project is inconspicuous and in harmony with the rustic natural setting of the Big Sur Coast as per Section 20.145.130 B. of the Big Sur Coastal Implementation Plan.

2. FINDING: SITE SUITABILITY – The sites are suitable for the uses proposed.

EVIDENCE: (a) The project has been reviewed for suitability by the Monterey County Planning and Building Inspection Department, the California Coastal Commission, the Monterey Bay Marine Sanctuary, Monterey County Water Resources Agency, Monterey County Public Works Department, and Monterey County Health Department. There has been no indication from these agencies that the sites are not suitable.

(b) Geological, Archaeological, and Biological reports completed and submitted by Caltrans staff indicate that there are no physical or

environmental constraints that would indicate the sites are not suitable for the use proposed. Planning and Building Inspection Department Staff concurs. Reports are located in Project File PLN050585.

(c) The project planner conducted a site visit on November 17th, 2005 to verify that the sites are suitable for this use.

(d) No public facilities are necessary for the project.

3. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and public recreation policies of the Coastal Act and the Local Coastal Program, and does not interfere with any form of historic public use or trust rights. No access is required as part of the project and no substantial adverse impacts on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

EVIDENCE: (a) The project includes the implementation of safety improvements on State Route Highway 1. Access is not required nor will existing access be affected by the project.

(b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

(c) Staff site visit on November 17th, 2005.

4. FINDING: ENVIRONMENTAL REVIEW – The project is subject to environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA). On the basis of the whole record before the Planning Commission, there is no substantial evidence that the proposed project as designed and conditioned will have a significant effect on the environment. As per CEQA Article 4, Section 15050, the County, as the decision-making body of a Responsible Agency, hereby certifies that it reviewed and considered the information contained in the Lead Agency's (California Department of Transportation) Categorical Exemption prior to acting upon or approving the project.

EVIDENCE: (a) The following documents are on file in the Planning and Building Inspection Department office and are hereby incorporated by reference (PLN050585, Caltrans):

1) The California Department of Transportation's Environmental Chief Officer authorized a Categorical Exemption for the above referenced project on June 23, 2005.

2) Air Quality, Water Quality, Noise, and Paleontology Reports completed by Wayne Mills, Environmental Engineer, on April 14, 2005.

3) Biological Report completed by Mitch Dallas, Associate Environmental Planner-Natural Sciences, on May 17, 2004.

4) Archaeology Report completed by Kelli Brasket and Terry L. Joslin on August 26, 2002, and revised by Terry L. Joslin on May 7, 2004.

5) Traffic Management Plan completed by S. Sandeman on November 14, 2005.

(b) There are no changes in the project or unusual circumstances that exist which would necessitate additional environmental review by the County of Monterey.

- 5. FINDING: NO VIOLATIONS** – The subject properties are in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of Title 20. Zoning violation abatement costs, if any, have been paid.
- EVIDENCE:** Sections 20.26.020 and 20.44.020 of the Monterey County Zoning Ordinance. Staff verification of the Monterey County Planning and Building Inspection Department records indicate that no violations exist on subject property.
- 6. FINDING: PUBLIC NOTICE** – Public notice of the pending Combined Development Permit was provided pursuant to Section 20.76.040, Title 20 Zoning Ordinance (Part 1 of the Monterey County Coastal Implementation Plan).
- EVIDENCE:** Materials in the project file PLN050585.
- 7. FINDING: SCENIC RESOURCES-** The subject project is consistent with Visual Resource Policies of the Big Sur Coast Land Use Plan.
- EVIDENCE:** (a) Policy 3.2.1 of the Big Sur Coast Land Use Plan (LUP) prohibits development within the “critical viewshed,” which is defined as areas visible from Highway 1 with exceptions. The intent of the policy is to preserve the scenic quality and character of the Big Sur Coast. However, highway safety improvements are allowed provided they meet visual criteria to minimize visibility. The project has minimized visibility by using materials and colors that are non-reflective and match the background rock, as well as the revegetation and restoration of the disposal site using native plants and grasses, while still meeting project requirements.
(b) Application and materials in Project File PLN050585.
(c) Staff site visit on November 17th, 2005.
- 8. FINDING: HEALTH AND SAFETY** – The establishment, maintenance, and operation of the proposed development applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
- EVIDENCE:** Preceding findings and supporting evidence.
- 9. FINDING: APPEALABILITY** – The decision on this project is appealable to the Board of Supervisors and to the Coastal Commission.
- EVIDENCE:** Sections 20.86.030 and 20.86.080 of the Monterey County Zoning Ordinance.

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Impact Addressed, and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Clearing Condition</i>	<i>Timing</i>	<i>Verification of compliance</i>
		subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)				
2.		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution No. 050585) was approved by the Planning Commission on December 14, 2005. The permit was granted subject to seven conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to commencement of construction. (Planning and Building Inspection)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to start of construction	
3.		PBD028 - RESTORATION OF NATURAL MATERIALS Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)	Submit verification and appropriate photographs for the review and approval of the Director of PBI.	Owner/ Applicant	At conclusion of construction	
4.		PBD030 - STOP WORK - RESOURCES FOUND If cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to	Owner/ Applicant/ Archaeologist	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Impact Addressed, and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Clearing Condition</i>	<i>Timing</i>	<i>Verification of compliance</i>
		site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection)	develop proper mitigation measures required for the discovery.			
5.		FLAGGING OF SEACLIFF BUCKWHEAT- NON STANDARD Should Seacliff buckwheat plants be discovered within the project vicinity, they shall be flagged and identified for construction crews in order to avoid potentially damaging the plants. (Planning and Building Inspection)	Flag plants within project vicinity, submit verification and appropriate photographs for the review and approval of the Director of PBI.	Owner/Applicant	Prior to construction.	
6.		LANDSCAPING - NON STANDARD Invasive plant species shall be removed from the rock and soil excavated from the wall site prior to disposal at the receiving site. The disposal site and wall site shall be landscaped using native vegetation compatible with the geographic area. The sites shall be monitored to verify the establishment of native vegetation and the reduction of invasive species. (Planning and Building Inspection)	Submit verification and appropriate photographs for the review and approval of the Director of PBI.	Owner/Applicant	Upon completion of construction, and at 5 and 10 years.	
7.		NOISE MONITORING – NON STANDARD A letter shall be sent to surrounding landowners notifying them of the length and duration of the night time drilling activities. The letter shall include a call number in which complaints regarding noise may be made. Complaints shall be logged and submitted to the Planning and Building Inspection Department on a monthly basis during construction activities. (Planning and Building Inspection)	Furnish evidence of mailing to PBI. Submit monthly monitoring report for the review of the Director of PBI.	Owner/Applicant	Prior to construction/ Ongoing	