

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> November 8, 2012 Time: 1:30	<b>Agenda Item No.:</b> 1
<b>Project Description:</b> Consider a Combined Development Permit consisting of: 1) a Coastal Development Permit to allow development within the Big Sur Critical Viewshed for the installation of a drop inlet, asphalt concrete dike, 36 inch reinforced concrete pipe culvert, 30 inch diameter by 60 linear foot down drain, and a 108 square foot gabion basket dissipater approximately 60 feet below the road shoulder on the west side of Highway 1 and grading (approximately 355 cubic yards of fill in a 3,400 square foot area adjacent to and west of Highway 1) and; 2) a Coastal Development Permit to allow development on slope exceeding 30 percent.	
<b>Project Location:</b> within the Caltrans right-of-way at post-mile 34.1, approximately 0.17 miles south of Burns Creek Bridge, Big Sur	<b>APN:</b> adjacent to Assessor's Parcel Numbers 421-011-016-000 and 421-011-018-000
<b>Planning File Number:</b> PLN120490	<b>Owner:</b> State of California Department of Transportation (CalTrans) <b>Agent:</b> Cathy Stetler, State of California
<b>Planning Area:</b> Big Sur Coast Land Use Plan	<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> "WSC/40-D (CZ) [Watershed Scenic Conservation, 40 acres per unit with Design Control (Coastal Zone)]"	
<b>CEQA Action:</b> Categorically Exempt per Section 15301 (c)	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Find the project Categorically Exempt pursuant to 15301 (c); and
- 2) Approve Consider a Combined Development Permit consisting of: 1) a Coastal Development Permit to allow development within the Big Sur Critical Viewshed for the installation of a drop inlet, asphalt concrete dike, 36 inch reinforced concrete pipe culvert, 30 inch diameter by 60 linear foot down drain, and a 108 square foot gabion basket dissipater approximately 60 feet below the road shoulder on the west side of Highway 1 and grading (approximately 355 cubic yards of fill in a 3,400 square foot area adjacent to and west of Highway 1) and; 2) a Coastal Development Permit to allow development on slope exceeding 30 percent, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**)

### PROJECT OVERVIEW:

The project is located adjacent on Highway 1 at post mile 34.1 just south of Big Sur. The applicant, Cal Trans, needs to replace a failing culvert. The project consists of a new drop inlet on the west side of Highway 1, a new asphalt dike around the drain, a 36 inch reinforced concrete pipe culvert under Highway 1, a 30 inch diameter by 60 linear foot down drain from the culvert down a 30% slope hillside, and a 108 square foot gabion basket dissipater at the bottom of the slope.

The project is located within the Big Sur Critical Viewshed. The portion of the project of most concern is the new 60 foot long down drain, which is on a slope exceeding 30% and is in the critical viewshed, but it can't be seen from Highway 1. The down drain will be placed in a heavily vegetated area. The disturbed area will be re-vegetated thereby further decreasing the down drains visibility from any aerial view.

Development on 30% slope is necessary due to the culverts location. In order to divert water

away from Highway 1 along the west side of the highway, the down drain must sit along the hillside. Development on 30% slopes is unavoidable as any replacement of the eroded culvert system would involve some level of development on 30% slopes.

The project is located near an Environmentally Sensitive Habitat (ESHA), Central Coast Scrub however, the project was found not to have the potential to impact biological resources. A biologist will be on site during construction to oversee vegetation removal and appropriate re-seed.

For a more complete discussion see **Exhibit B**.

**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:

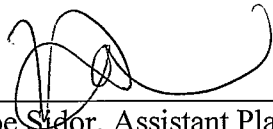
RMA - Public Works Department  
Environmental Health Bureau  
Water Resources Agency  
California Department of Forestry - Coastal  
California Coastal Commission

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by RMA – Planning Department have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit C**).

The project was referred to the South Coast Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution 08-338, this application did not warrant however the project was referred on October 9, 2012. The South Coast LUAC recommended approval of the project by a vote of 3 to 0 with no suggested changes.

Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

/S/ Valerie Negrete



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Valerie Negrete for Joe Sidor, Assistant Planner  
(831) 755-5227, negretev@co.monterey.ca.us  
(October 22, 2012)

cc: Front Counter Copy; Zoning Administrator; California Department of Forestry - Coastal; Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; Valerie Negrete, Project Planner; State of California Department of Transportation, Owner; State of California Department of Transportation, Agent; The Open Monterey Project; LandWatch; Planning File PLN120490

Attachments: Exhibit A Project Data Sheet  
Exhibit B Discussion  
Exhibit C Draft Resolution, including:  
• Conditions of Approval  
• Site Plan  
Exhibit D Vicinity Map  
Exhibit E South Coast Advisory Committee Minutes  
Exhibit F State of California Categorical Exemption

This report was reviewed by John Ford, Senior Planner & Wanda Hickman, Planning Services *Wah*  
Manager

## EXHIBIT A

### Project Information for PLN120490

#### Project Information:

**Project Name:** STATE OF CALIFORNIA DEPT OF TRANSPORTATION (CALTRANS)  
**Location:** CALTRANS RIGHT-OF-WAY POST MILE 34.1 HWY 1 BIG SUR  
**Permit Type:** Combined Development Permit

**Environmental Status:** Exempt  
**Final Action Deadline (884):** 12/10/2012

**Existing Structures (sf):** 0  
**Coverage Allowed:** NA  
**Proposed Structures (sf):** 0  
**Coverage Proposed:** NA  
**Total Sq. Ft.:** 0  
**Height Allowed:** NA  
**Tree Removal:** 0  
**Height Proposed:** NA  
**Water Source:** NA  
**FAR Allowed:** NA  
**Water Purveyor:** NA  
**FAR Proposed:** NA  
**Sewage Disposal (method):** NA  
**Lot Size:** 0  
**Sewer District:** NA  
**Grading (cubic yds.):** 355

#### Parcel Information:

**Primary APN:** NA  
**Seismic Hazard Zone:** UNSTABLE UPLAND  
**Applicable Plan:** BIG SUR COAST LUP  
**Erosion Hazard Zone:** HIGH  
**Advisory Committee:** SOUTH COAST  
**Fire Hazard Zone:** HIGH  
**Zoning:** UNCLASSIFIED  
**Flood Hazard Zone:** NA  
**Land Use Designation:** UNCLASSIFIED  
**Archaeological Sensitivity:** HIGH  
**Coastal Zone:** Y  
**Viewshed:** BIG SUR CRITICAL  
**Fire District:** CALFIRE COASTAL  
**Special Setbacks on Parcel:** N

#### Reports on Project Parcel:

**Soils Report #:** NA  
**Biological Report #:** LIB120359  
**Geologic Report #:** NA  
**Forest Management Rpt. #:** NA  
**Archaeological Report #:** NA  
**Traffic Report #:** NA

## **EXHIBIT B PROJECT DISCUSSION**

An existing culvert located at Highway 1, postmile 34.1 near Julia Pfeiffer State Park and 0.17 miles south of Burns Creek Bridge just south of Big Sur is eroding excessively and needs to be replaced. The culvert conveys stormwater under Highway 1 from Los Padres National Forest to the Pacific Ocean. Without the project, the existing culvert will continue to erode causing an unsafe driving surface for passing vehicles. Unchecked erosion has the potential to undermine the road surface causing a sink hole or hillside slide. The existing culvert's depth below the roads surface makes replacement at the same location infeasible without closing Highway 1 for a period of time. Because of the excessive grading and ground disturbance this would cause, this pipe will be abandoned in place by filling the pipe with concrete slurry backfill. The northbound shoulder will be stabilized and additional fill will be placed within the catch basin. The existing collection catch basin on the northbound lane side of Highway 1 will be elevated approximately 5 feet in order to align with the new culvert. The new culvert will be 36 inches in diameter and 60 feet long. The new system will include a drop inlet on the east shoulder of the Highway to collect additional stormwater and a drain pipe will be placed along the hillside to convey water into a gabion dissipater at the bottom of the slope. Vegetation along the down drain will be cut and fill areas and disturbed slopes will be stabilized through seeding, jute matting and fiber rolls. Eventually the vegetation removed for the down drain placement will grow over the pipe and blend in with the natural native vegetation.

### **Biological Resources**

A biological report was prepared by Tom Edell on September 5, 2012 to assess whether or not any potential impacts to environmentally sensitive habitats would result from the culvert replacement. The report found that the primary habitat in the project area is the Central Coast Scrub dominated by woody shrubs. To the west of the highway and north of the existing culvert is a mitigation area for Smith's blue butterfly which was created by Cal Trans. The culvert replacement will not affect this mitigation area for Smith's blue butterfly. To ensure that there will be limited impacts to the Central Coast Scrub which is located near the replacement downdrain, construction material such as fiber rolls and piping material will be limited to existing paved areas along Highway 1 and un-vegetated dirt pullouts. Vegetation along the downdrain will be cut to the lowest extent possible and re-seeded after construction under the supervision of the District 5 biologist Tom Edell.

### **30% Slopes**

The project will include placing the replacement pipe down the slope on the west side of Highway 1 over a 30% slope. In order to approve development on slopes over 30% slopes, there must be no feasible alternative which would allow development to occur on slopes of less than 30%. Development on 30% slopes is inevitable due to the new culverts location along the hillside of Highway 1. Re-seeding will also serve to stabilize the slope. The alternative of not installing the downdrain would direct water to surface flow from the culvert under Highway 1 resulting in excessive erosion. Installing the down drain on the 30% slope is a preferred option.

### **Aesthetics**

The project site is located in the vicinity of a scenic highway (Highway 1) within the Big Sur Critical Viewshed. The development proposed will not be visible by virtue of its location. Key Policy 4.1 .1 states that the County's objective is to maintain and enhance the highway's aesthetic beauty and to protect its primary function as a recreational route. In this case, the underground culvert is needed to maintain existing drainage along this segment of Highway 1. The new inlet

and downdrain will not be visible to drivers along Highway 1. The new pipe is not visible due its' location along the hill where there is no shoulder. If someone happened to be standing on the edge of the southbound lane they would have to lean over the edge to try and locate the pipe which would not be safe. When construction is complete, the culvert inlet area will be re-vegetated with native seedlings of native plant species such as Central Coast Scrub.

### **CEQA Review**

Caltrans, as Lead Agency, prepared a Class 1 Categorical Exemption (Exhibit E) for this project. CEQA Guidelines Section 15301 consists of operation, repair, maintenance or minor alterations to existing public facilities involving negligible or no expansion. The project is a replacement of a failing culvert system. The new culvert system will be diverted from the existing catch basin on the east side of the highway and is not an expansion of the existing system. Therefore, the project is consistent with the Class 1 categorical exemption. The County is a Responsible Agency under CEQA. The Responsible Agency must confirm that its decision-making body (Monterey County Zoning Administrator) reviewed and considered the information contained in the project application for the project. This action affirms the determination of the Caltrans Categorical Exemption prior to acting upon or approving the project, and no additional CEQA action is required by the County.

**EXHIBIT C  
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the  
County of Monterey, State of California**

In the matter of the application of:  
State of California Department of  
Transportation (PLN120490)

**RESOLUTION NO. ----**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Categorically Exempt pursuant to 15301 (c);  
and
- 2) Approve Consider a Combined Development  
Permit consisting of: 1) a Coastal  
Development Permit to allow development  
within the Big Sur Critical Viewshed for the  
installation of a drop inlet, asphalt concrete  
dike, 36 inch reinforced concrete pipe culvert,  
30 inch diameter by 60 linear foot down drain,  
and a 108 square foot gabion basket dissipater  
approximately 60 feet below the road  
shoulder on the west side of Highway 1 and  
grading (approximately 355 cubic yards of fill  
in a 3,400 square foot area adjacent to and  
west of Highway 1) and; 2) a Coastal  
Development Permit to allow development on  
slope exceeding 30 percent.

[PLN120490, State of California Department of  
Transportation, Caltrans right-of-way at post-mile  
34.1, approximately 0.17 miles south of Burns Creek  
Bridge, Big Sur, Big Sur Coast Land Use Plan  
(adjacent to Assessor's Parcel Numbers 421-011-016-  
000 and 421-011-018-000)]

**The State of California Department of Transportation application (PLN120490) came on for public hearing before the Monterey County Zoning Administrator on November 8, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:**

**FINDINGS**

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.  
**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
  - the 1982 Monterey County General Plan;

- Big Sur Coast Land Use Plan,
- Monterey County Coastal Implementation Plan, Part 3

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The property is located at Caltrans right-of-way at post-mile 34.1, approximately 0.17 miles south of Burns Creek Bridge, Big Sur (adjacent to Assessor's Parcel Numbers 421-011-016-000 and 421-011-018-000), Big Sur Coast Land Use Plan. The parcel is zoned WSC/40-D (CZ), [(Watershed and Scenic Conservation, 40 acres per unit with Design Control Overlay (Coastal Zone)] which allows public uses such as roads subject to a Coastal Development Permit in each case. Therefore, the project is an allowed land use for this site subject to approval of a Coastal Development Permit.
- c) The project is consistent with the purpose of the Watershed and Scenic Conservation zoning district which allows "only such development that can be achieved without adverse effect and which will be subordinate to the particular site and area." The project has been designed to have minimal impacts on the site. See Findings 7 and 8.
- d) The project planner conducted a site inspection on August 28, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
- e) Development on slopes in excess of 30% is prohibited unless there is no feasible alternative that would allow development to occur on slopes of less than 30%, or the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives. In this case, the culvert replacement is necessary in order to convey runoff from the hillside to the Pacific Ocean underneath Highway 1. The existing culvert is badly eroded and needs to be repaired for the safety of drivers along this segment of Highway 1. The replacement of the 30" down drain on the 30% slope is the best way of conveying water to the bottom of the slope, and preventing erosion. There is no other alternative which would not result in work on a 30% slope which would prevent and protect public health and safety.
- f) The project includes a Coastal Development Permit to allow development within the Big Sur Critical Viewshed. The subject project is a replacement of an existing corroded culvert underneath Highway 1. The replaced culvert will involve a portion of the 60 foot pipe running along the western shoulder. The hillside is vegetated and not visible to drivers along Highway 1. After construction, the pipe will be re-vegetated with native seedlings and the culvert system will not be visible to drivers along Highway 1.
- g) Key Policy 4.1 .1 states that the County's objective is to maintain and enhance the highway's aesthetic beauty and to protect its primary function as a recreational route. Exceptions to the Scenic Resources Key Policy involving safety improvements to Highway 1 facilities, provided they are consistent with LUP Sections 4.1 .1, 4.1.2, and 4.1 .3. General Policy 4.1.2.1 provides for improvements to Highway 1 as long as they increase its service capacity and safety, consistent with its retention as a scenic two-lane road. The subject culvert replacement is a safety



improvement that will restore an existing eroded culvert with a new down pipe, drop inlet and energy dissipater which is designed in a manner as to minimize visibility and maintain function and safety.

- h) Board of Supervisors per Resolution 08-338, this application did not warrant however the project was referred on October 9, 2012. The South Coast LUAC recommended approval of the project by a vote of 3 to 0 with no suggested changes.
- i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120490.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, California Department of Forestry - Coastal, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
  - b) Staff identified potential impacts to Biological Resources. The following reports have been prepared:
    - “No Effects Biological Memo” prepared by Tom Edell, report was prepared September 5, 2012.The Biological Report prepared by Tom Edell specifies that re-vegetation and re-seeding will be done upon project completion. The above-mentioned technical report by an outside consultant also indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.
  - c) The project planner conducted a site inspection on August 28, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
  - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120490.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the RMA - Planning Department, California Department of Forestry - Coastal, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate,

to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

b) Preceding findings and supporting evidence for PLN120490.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

**EVIDENCE:**

- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- b) The project planner conducted a site inspection on August 28, 2012 to verify that the project on the subject parcel conforms to the plans listed above
- c) There are no known violations on the subject parcel.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN120490.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

**EVIDENCE:**

- a) California Environmental Quality Act (CEQA) Guidelines Section 15301(c) (Class 1), categorically exempts the operation and repair to existing structures and facilities.
- b) The project involves the installation of a drop inlet, asphalt concrete dike, 36 inch reinforced concrete pipe culvert, 30 inch diameter by 60 linear foot downdrain, and a 108 square foot gabion basket dissipater approximately 60 feet below the road shoulder on the west side of Highway 1. The replacement area will be slurry cement backfill.
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on August 28, 2012.
- d) Exceptions to exemptions listed in Section 15300 .2.a-f are inapplicable. The project does not involve a designated historical resource, a hazardous waste site, unusual circumstances that would result in a significant effect, nor development that would result in a cumulatively significant impact. The project site is located partly underneath a scenic highway (Highway 1) and not visible given its location. The exterior portion of the project is not visible from the highway. The development proposed is consistent with the existing development on the site and in the area, and will not result in a significant impact to visual resources (see Finding No. 8). The project involves development near environment sensitive habitats however, the replacement will not result in a significant impact to environmentally sensitive habitats.
- e) Caltrans, as Lead Agency, applied categorical exemption Section 15301 to the project. The County is serving as a Responsible Agency for this project. The County, in its independent judgment, has reviewed the rational and agrees with the determination. The replacement of an eroded culvert is important to ensure driver safety along this segment of Highway 1. The eroded pipe will be abandoned and filled with slurry

cement backfill and disturbed slopes will be stabilized through a seeding, jute matting and fiber rolls. The new culvert will increase the systems service capacity and safety.

- f) The evidence in the record includes correspondence, data, and analysis supporting the categorical exemption; information presented or discussed during public meetings and/or hearings; staff reports that reflect the County's independent judgment analysis regarding the above referenced correspondence, data, and analysis ; application materials; and expert testimony. The following correspondence/assessments have been prepared and reviewed :
  - "No Effects Biological Memo" prepared by Tom Edell, report was prepared September 5, 2012
  - Categorical Exclusion Determination Form No. 05-1200-0082
- g) Staff conducted a site inspection on August 28, 2012 to verify that the site is suitable for this use.
- h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120490.

6. **FINDING:** **PUBLIC ACCESS** - The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.145.150 of the Monterey County Coastal Implementation Plan (Part 3) can be demonstrated.
  - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3 [Trails Plan - North Section ] in the Big Sur Land Use Plan).
  - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - d) Staff conducted a site inspection on August 28, 2012 to verify that the site is suitable for this use.
  - e) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120490.

7. **FINDING:** **DEVELOPMENT ON SLOPE** - There is no feasible alternative which would allow development to occur on slopes of less than 30%.

- EVIDENCE:**
- a) a) In accordance with the applicable policies of the Big Sur Coast Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the authority to grant said permit has been met. No alternatives to the down drain exist. Drainage must be carried from one side of the highway to the other and the existing drain (culvert) needs to be replaced. In order to replace the

culvert which is deep underneath the highway, a new culvert will be placed in the same general area.

- b) Construction of the new culvert system includes minor embankment work to create a new inlet and down drain construction. The down drain will not be visible from Highway 1.
- c) The replacement of the 30" down drain on the 30% slope is the best way of conveying water to the bottom of the slope, and preventing erosion. There is no other alternative which would not result in work on a 30% slope which would protect public health and safety.
- d) The project planner conducted a site inspection on August 28, 2012
- e) The subject project minimizes development on slopes exceeding 30% in accordance with the applicable goals and policies of the applicable area plan and zoning codes.

8. **FINDING:**

**BIG SUR CRITICAL VIEWSHED** - The subject project minimizes development within the viewshed in accordance with the applicable goals and policies of the applicable area plan and zoning codes.

**EVIDENCE:**

- a) The project includes application for development within the Big Sur Critical Viewshed. 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 and the authority to grant said permit has been met.
- b) Staff conducted a site visit on August 28, 2012, to assess the potential visual impacts of the project to ensure consistency with applicable LUP policies. Key Policy 4.1.1 states that the County's objective is to maintain and enhance the highway's aesthetic beauty and to protect its primary function as a recreational route. Exceptions can be made to the Scenic Resources Key Policy if a project involves safety improvements to Highway 1 facilities, provided they are consistent with LUP Sections 4.1 .1, 4.1.2., and 4.1 .3. In addition, General Policy 4.1 .2.1 provides for improvements to Highway 1 as long as they increase its service capacity and safety, consistent with its retention as a scenic two-lane road. The subject improvements are for public safety. The new down drain is not visible from the road and will be placed in an existing vegetated area of the hillside. Vegetation removal for the placement of the down drain will be kept to a minimum under the direction of a biologist. After constructions is completed disturbed areas will be revegetation. .
- c) The project, as proposed, is consistent with policies of the Big Sur Coast Land Use Plan dealing with visual resources and will have no significant impact on the critical viewshed. Disturbance is the minimum amount necessary to replacement the culvert system.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN120490.
- e) The project planner conducted a site inspection on August 28, 2012, to verify that the project minimizes development within the viewshed or to identify methods to minimize the development.

9. **FINDING:**

**APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission

**EVIDENCE:** a) Board of Supervisors : Section 20 .86 .030 of the Monterey County

Zoning Ordinance allows an appeal to be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.

- b) California Coastal Commission: Sections 20 .86 .080.A.1, A.2, and A.3 of the Monterey County Zoning Ordinance (Title 20). The project is subject to appeal by/to the California Coastal Commission because it involves development between the sea and the first through public road paralleling the sea, it involves development within 100 feet of a stream, and it involves development that is permitted in the underlying zone as a conditional use.

### DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Zoning Administrator does hereby:

1. Find the project Categorically Exempt pursuant to 15301 (c); and
2. Approve Consider a Combined Development Permit consisting of: 1) a Coastal Development Permit to allow development within the Big Sur Critical Viewshed for the installation of a drop inlet, asphalt concrete dike, 36 inch reinforced concrete pipe culvert, 30 inch diameter by 60 linear foot down drain, and a 108 square foot gabion basket dissipater approximately 60 feet below the road shoulder on the west side of Highway 1 and grading (approximately 355 cubic yards of fill in a 3,400 square foot area adjacent to and west of Highway 1) and; 2) a Coastal Development Permit to allow development on slope exceeding 30 percent, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 8th day of November, 2012 upon motion of xxxxx, seconded by xxxxx, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE DATE

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

#### NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

# Monterey County Planning Department

## DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN120490

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning Department

**Condition/Mitigation  
Monitoring Measure:**

This Consider a Combined Development Permit consisting of: 1) a Coastal Development Permit to allow development within the Big Sur Critical Viewshed for the installation of a drop inlet, asphalt concrete dike, 36 inch reinforced concrete pipe culvert, 30 inch diameter by 60 linear foot down drain, and a 108 square foot gabion basket dissipater approximately 60 feet below the road shoulder on the west side of Highway 1 and grading (approximately 355 cubic yards of fill in a 3,400 square foot area adjacent to and west of Highway 1) and; 2) a Coastal Development Permit to allow development on slope exceeding 30 percent was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

**Compliance or  
Monitoring  
Action to be Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

### 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning Department

**Condition/Mitigation  
Monitoring Measure:**

The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Combined Development Permit] (Resolution Number \_\_\_\_ ) was approved by the Monterey County Zoning Administrator for a Caltrans right-of-way at post-mile 34.1, approximately 0.17 miles south of Burns Creek Bridge, Big Sur on November 8, 2012. The permit was granted subject to 4 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."  
Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

**Compliance or  
Monitoring  
Action to be Performed:**

Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

### 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** If, during the course of construction, 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 RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Register 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 site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning Department)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning 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 develop proper mitigation measures required for the discovery.

### 4. PD032(A) - PERMIT EXPIRATION

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** The permit shall be granted for a time period of 3 years, to expire on November 8, 2015 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

**Compliance or Monitoring Action to be Performed:** Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.



INDEX OF PLANS

Sheet No. 1	Title and Location Map
" " 2	Drainage Plan and Quantities
" " 3	Drainage Profile

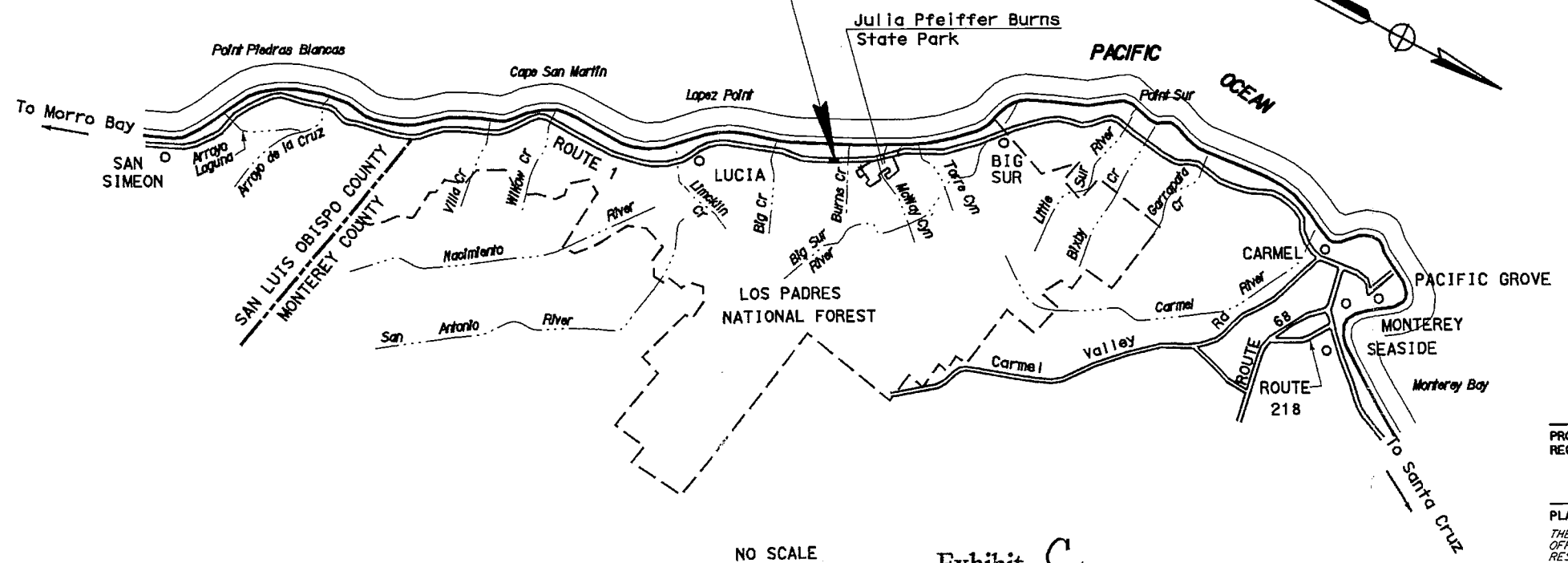
STATE OF CALIFORNIA  
**DEPARTMENT OF TRANSPORTATION**  
**PROJECT PLANS FOR CONSTRUCTION ON**  
**STATE HIGHWAY**  
**IN MONTEREY COUNTY**  
**NEAR JULIA PFEIFFER BURNS STATE PARK**  
**0.17 MILE SOUTH OF BURNS CREEK BRIDGE No. 44-50**

TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2006

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	1	34.1	1	3



**LOCATION OF CONSTRUCTION**  
**PM 34.1**



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PROJECT ENGINEER DATE  
 REGISTERED CIVIL ENGINEER



PLANS APPROVAL DATE  
 THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

CONTRACT No.	05-1C2001
PROJECT ID	0512000082

PROJECT MANAGER  
Lance Gorman

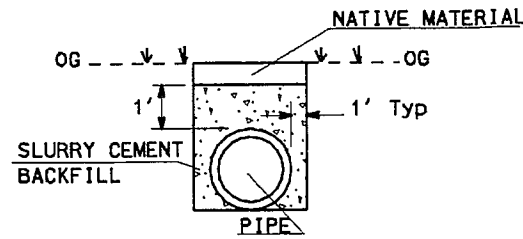
DESIGN ENGINEER  
Gary R. Sims

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

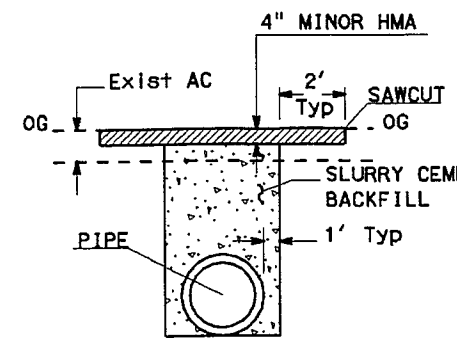
NO SCALE

NOTES:

1. MANTA RAYS AND DRIVE STEEL TO SET MANTA RAYS WILL BE STATE-FURNISHED.
2. REFER TO STANDARD PLAN D87A, B, C FOR DETAILS CONCERNING SOIL ANCHOR ASSEMBLY AND CABLE ANCHORAGE SYSTEM HARDWARE AND MATERIALS NOT SHOWN ON THIS PLAN.
3. SOIL ANCHOR ASSEMBLY INCLUDES 2 EA ANCHORS AND CABLE ASSEMBLIES.
4. THE DEPTH OF THE UNDERGROUND AT&T CABLE IS UNCERTAIN.
6. THE 48 FEET OF 36 INCH RCP DOES NOT INCLUDE AN ESTIMATED 4 FEET IN THE FLARED END SECTION.
7. VERIFY CSP ELL ANGLE AND PIPE LENGTHS BEFORE ORDERING.



TYPICAL TRENCH DETAIL  
NONPAVED AREA  
NO SCALE

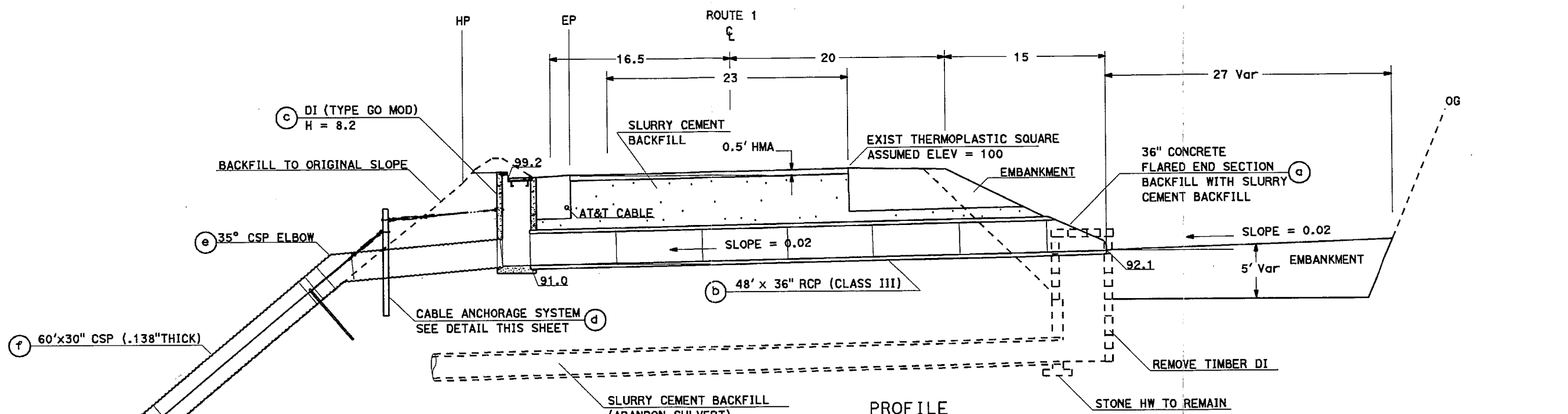
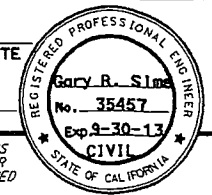


TYPICAL TRENCH DETAIL  
PAVED AREA  
NO SCALE

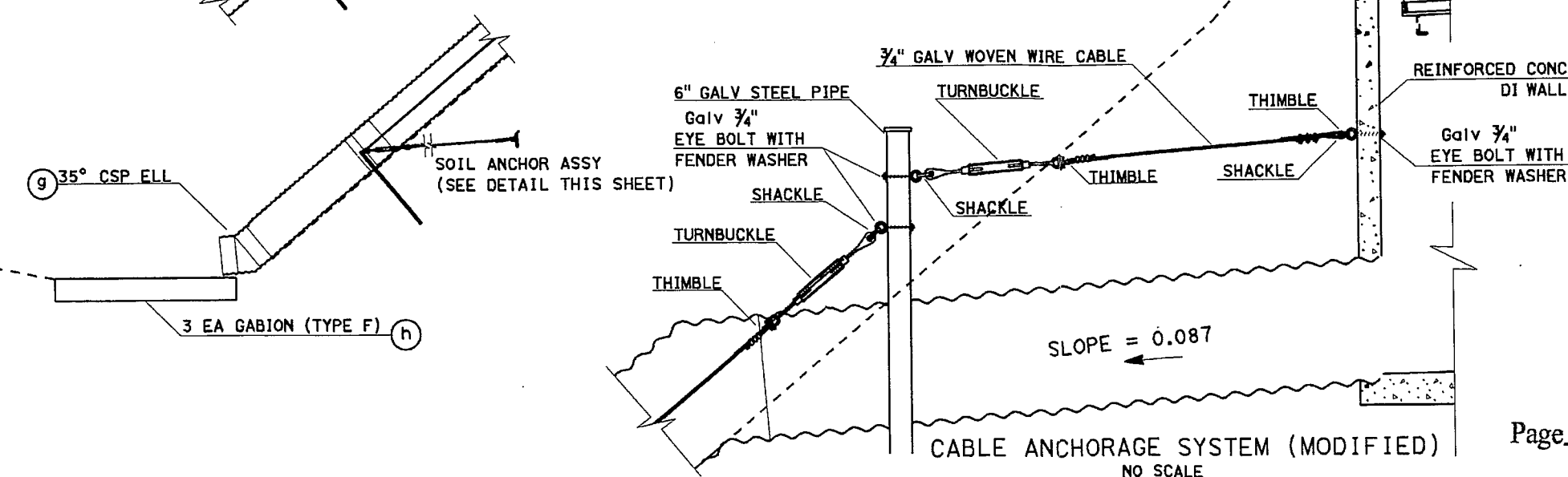
**RECEIVED**  
JUL-31 2012  
MONTEREY COUNTY  
PLANNING DEPARTMENT

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	MON	1	34.1	3	3

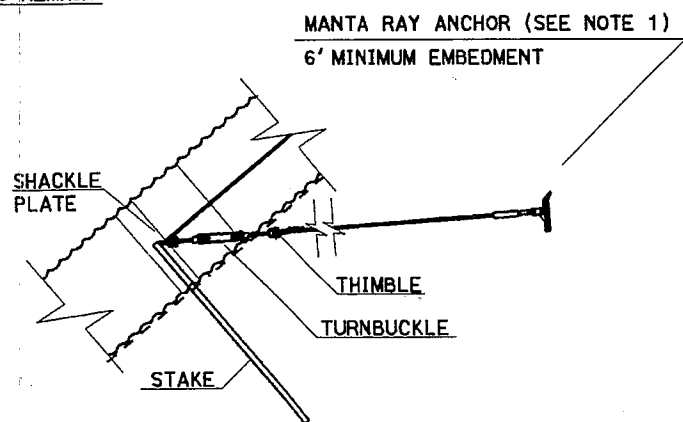
REGISTERED CIVIL ENGINEER DATE \_\_\_\_\_  
PLANS APPROVAL DATE \_\_\_\_\_  
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PROFILE  
NO SCALE



CABLE ANCHORAGE SYSTEM (MODIFIED)  
NO SCALE



SOIL ANCHOR ASSY  
NO SCALE

**DRAINAGE PROFILE**  
DP-1  
NO SCALE

Exhibit C  
Page 2 of 3 Pages

REVISOR: [ ] DATE: [ ]  
CALCULATED/DESIGNED BY: [ ] CHECKED BY: [ ]  
FUNCTIONAL SUPERVISOR: LANCE GORMAN  
DEPARTMENT OF TRANSPORTATION - Maintenance Design  
STATE OF CALIFORNIA - Caltrans

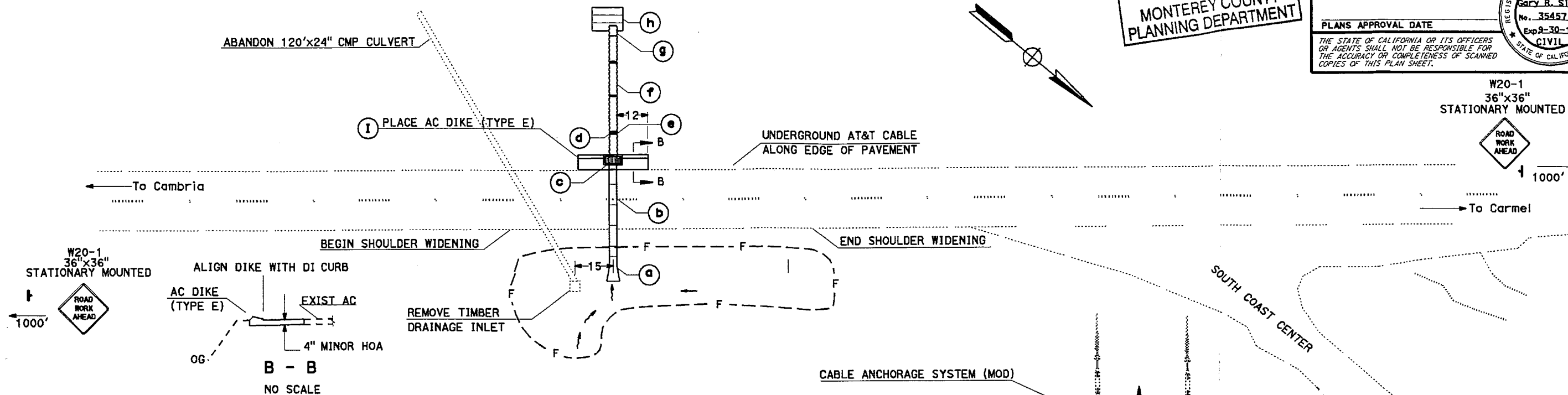
LAST REVISION: DATE PLOTTED => 06-MAR-2012 00-00-00 TIME PLOTTED => 13:40

REVISOR: [ ] DATE: [ ]  
 CALCULATED/DESIGNED BY: [ ] CHECKED BY: [ ]  
 FUNCTIONAL SUPERVISOR: Lance Gorman  
 DEPARTMENT OF TRANSPORTATION: Maintenance Design

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 JUL 31 2012  
 MONTEREY COUNTY  
 PLANNING DEPARTMENT

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	MON	1	34.1	2	3

REGISTERED CIVIL ENGINEER DATE  
 Gary B. Sims No. 35457 Exp 9-30-13  
 PLANS APPROVAL DATE  
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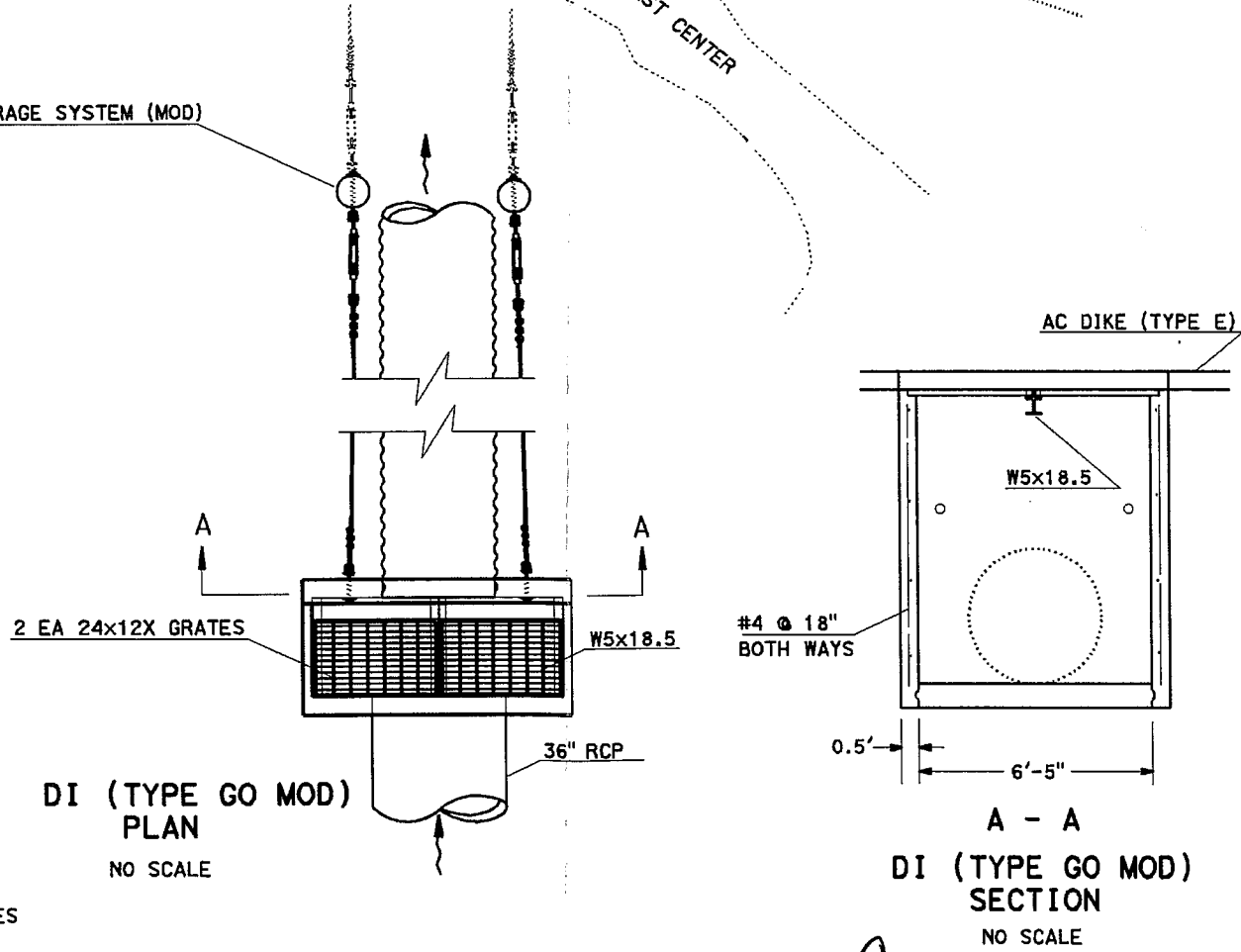


**DRAINAGE QUANTITIES**

DRAINAGE SYSTEM	DRAINAGE UNIT	DRAINAGE QUANTITIES														DRAINAGE SYSTEM		DRAINAGE UNIT	
		SQFT	LF	LS	CY	CY	CY	TON	LF	CY	LF	EA	LF	EA	EA	EA	CY	LB	
1	a																		
	b	3400	100	1	355	14	50	8			48								
	c							4	20	3.6							473	DI (TYPE GO MODIFIED) 2 EA 24-12X GRATES	
	d														1				
	e													1					
	f												60			1			
	g													1					
	h																6		
	i								1										AC DIKE (TYPE E)
<b>TOTALS</b>		3400	100		355	14	50	13	20	3.6	48	1	60	2		1	1	6	473

(N) NOT A SEPARATE PAY ITEM. FOR INFORMATION ONLY.

**CABLE ANCHORAGE SYSTEM (MOD)**



**NOTES**

- ALL UNITS IN FEET UNLESS OTHERWISE SHOWN.
- FOR DI (TYPE GO MOD) W5x18.5 GRATE SUPPORT BEAM DETAIL SEE TYPE GT3 STANDARD PLAN D74A.
- SEE STANDARD PLAN D77B FOR GRATE DETAILS.
- SEE SECTION 19-3.062 OF THE STANDARD SPECIFICATIONS FOR SLURRY CEMENT BACKFILL.
- VERIFY CMP LENGTHS AND ANGLES BEFORE ORDERING PIPE.
- UTILITIES NOT SHOWN.

Exhibit C  
 Page 2 of 3 Pages

**DRAINAGE PLAN**  
 D-1 NO SCALE

# BIG SUR

Exhibit D

Julia Pfeiffer-Burns State Park

1

Anderson Landing

Burns Creek

Los Padres Nat'l Forest

PROJECT SITE

Buck Creek

Pacific Ocean

Exhibit D

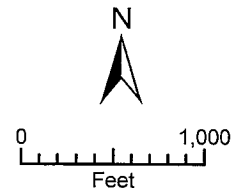
Page 1 of 1 Pages

APPLICANT: CALTRANS

APN: N/A

FILE # PLN120490

Water  2500' Limit  300' Limit  City Limits 



PLANNER: SIDOR

**MINUTES**  
**Big Sur & South Coast Land Use Advisory Committees**  
**Tuesday, October 9, 2012**

1. Meeting called to order by Jerry Provost at 10:07 am

2. Roll Call

Big Sur LUAC Members Present: Mary Trotter, Richard Ravich,  
Steve Beck

Big Sur LUAC Members Absent: \_\_\_\_\_

South Coast LUAC Members Present: J. Provost ; J. Handy ;  
Harry Harris

South Coast LUAC Members Absent: Ken Harlan

3. Approval of LUAC Minutes:  
Approval of September 25, 2012 minutes (Big Sur LUAC minutes)  
~~A. Approval of September 25, 2012 minutes (Big Sur LUAC Minutes)~~

Motion: \_\_\_\_\_ (Big Sur LUAC Member's Name)

Second: \_\_\_\_\_ (Big Sur LUAC Member's Name)

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

b. Approval of August 14, 2012 minutes (South Coast LUAC Minutes)

Motion: J. Provost (South Coast LUAC Member's Name)

Second: H. Harris (South Coast LUAC Member's Name)

Ayes: 3 (Provost, Handy, Harris)

Noes: 0

Absent: 1 (Harlan)

Abstain: 0

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MONTEREY COUNTY  
PLANNING & BUILDING  
INSPECTION DEPT

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

None

5. **Scheduled Item: ONE (1) ITEM FOR SOUTH COAST LUAC ONLY**

6. **Other Items:**

- A) Discuss Application of New Ordinances, Role of Land Use Plans, and Update Process (Big Sur & South Coast LUAC)

Discussion of above items are begun.  
Very productive

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B) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None

C) Announcements

None

7. Meeting Adjourned: 12:15 Pm

Minutes taken by: Harry Harris

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# Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department  
168 W Alisal St 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

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Advisory Committee: **SOUTH COAST**

**MONTEREY COUNTY  
PLANNING & BUILDING  
INSPECTION DEPT**

Please submit your recommendations for this application by: **October 9, 2012**

**Project Title:** STATE OF CALIFORNIA DEPT OF TRANSPORTATION (CALTRANS)

**File Number:** PLN120490

**File Type:** ZA

**Planner:** SIDOR

**Location:** CALTRANS RIGHT-OF-WAY POST MILE 34.1 HWY 1 BIG SUR

**Project Description:**

Combined Development Permit consisting of: 1) a Coastal Development Permit to allow development within the Big Sur Critical Viewshed for the installation of a drop inlet, asphalt concrete dike, 36 inch reinforced concrete pipe culvert, 30 inch diameter by 60 linear foot down drain, and a 108 square foot gabion basket dissipater approximately 60 feet below the road shoulder on the west side of Highway 1; 2) a Coastal Development Permit to allow development on slope exceeding 30 percent; and grading (approximately 355 cubic yards of fill in a 3,400 square foot area adjacent to and west of Highway 1). The project site is located within the Caltrans right-of-way at post-mile 34.1, approximately 0.17 miles south of Burns Creek Bridge, Big Sur (Assessor's Parcel Number 000-000-000-000, adjacent to Assessor's Parcel Numbers 421-011-016-000 and 421-011-018-000), Coastal Zone.

**Was the Owner/Applicant/Representative Present at Meeting?** Yes \_\_\_\_\_ No

**Was a County Staff/Representative present at meeting?** Joe Sidor (Name)

**PUBLIC COMMENT:** None

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
		<input checked="" type="checkbox"/>	



**LUAC AREAS OF CONCERN**

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
none		

**ADDITIONAL LUAC COMMENTS**

none

**RECOMMENDATION :**

Motion by: J. Provost (South Coast LUAC Member's Name)

Second by: H. Harris (South Coast LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)
- Continue the Item

Reason for Continuance: \_\_\_\_\_

Continued to what date: \_\_\_\_\_

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AYES: 3 (Provost, Harris, Handy)

NOES: 0

ABSENT: 1 (Hawlan)

ABSTAIN: 0

SAN DIEGO COUNTY  
PLANNING & BUILDING  
INSPECTION DEPT

Jerry Provost

Harry Harris

MARIE NOEL - MONTEREY COUNTY

Steve Beck

MARY TROTTER

ARLEN HANDSOM

RICHARD RAVICH

John Hardy

Joe Sidor - RMA-Planning Dept.

(Butch Kronlan) - late

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PLANNING & BUILDING  
INSPECTION DEPT.

Exhibit E

Page 6 of 6 Pages

**EXHIBIT F**  
**CATEGORICAL EXEMPTION/ CATEGORICAL EXCLUSION DETERMINATION FORM**

05-MON-1                      34.1                      1C200                      05 1200 0082  
 Dist.-Co.-Rte. (or Local Agency)      P.M/P.M.      E.A. (State project)      Federal Aid Project No. (Local project) Proj. No.

**PROJECT DESCRIPTION:** (Briefly describe project, purpose, location, limits, right-of-way requirements, and activities involved.)

The California Department of Transportation proposes a drainage system replacement project on State Route 1 in Monterey County near Julia Pfeiffer Burns State Park 0.17 mile south of Burns Creek bridge, adjacent to the South Coast Center. The purpose of this project is to replace the existing excessively corroded culvert and to raise the elevation of the drainage system so it can be maintained during high runoff events. Some minor embankment work and down drain construction is required outside of the State right of way. This activity is authorized under the original deed transferring the road right of way to the State. The existing 24-inch x 120-foot culvert and headwall will be filled with slurry cement backfill. The depression on the east side of the roadway will be filled up to 8 feet in depth to raise the new culvert system so it can be reached from the roadway. A new 36-inch x 48-foot culvert will be constructed approximately 15 feet north of the existing inlet and the new pipe will outlet directly across the highway from the new inlet. The existing culvert is buried deep and crosses the highway at an approximately 45-degree angle and outlets approximately 70 feet down the embankment.

**CEQA COMPLIANCE** (for State Projects only)

Based on an examination of this proposal, supporting information, and the following statements (See 14 CCR 15300 et seq.):

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

**CALTRANS CEQA DETERMINATION** (Check one)

Exempt by Statute. (PRC 21080[b]; 14 CCR 15260 et seq.)

Based on an examination of this proposal, supporting information, and the above statements, the project is:

Categorically Exempt. Class 1. (PRC 21084; 14 CCR 15300 et seq.)

Categorically Exempt. General Rule exemption. [This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (CCR 15061[b][3])]

Randy LaVack

Print Name: Environmental Branch Chief

*Randy LaVack*  
Signature

7.18.12  
Date

Lance Gorman

Print Name: Project Manager/DLA Engineer

*Lance Gorman*  
Signature

7/23/12  
Date

**NEPA COMPLIANCE**

In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this project:

- does not individually or cumulatively have a significant impact on the environment as defined by NEPA and is excluded from the requirements to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS), and
- has considered unusual circumstances pursuant to 23 CFR 771.117(b) (<http://www.fhwa.dot.gov/hep/23cfr771.htm> - sec.771.117).

In non-attainment or maintenance areas for Federal air quality standards, the project is either exempt from all conformity requirements, or conformity analysis has been completed pursuant to 42 USC 7506 and 40 CFR 93.

**CALTRANS NEPA DETERMINATION** (Check one)

Section 6004: The State has been assigned, and the project sponsor certifies that it has carried out, the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding (MOU) dated June 7, 2010, executed between the FHWA and the State. The State has determined that the project is a Categorical Exclusion under:

- 23 CFR 771.117(c): activity (c) ( )
- 23 CFR 771.117(d): activity (d) ( )
- Activity        listed in the MOU between FHWA and the State

Section 6005: Based on an examination of this proposal and supporting information, the State has determined that the project is a CE under Section 6005 of 23 U.S.C. 327.

Print Name: Environmental Branch Chief

Signature

Date

Print Name: Project Manager/DLA Engineer

Signature

Date

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., air quality studies, documentation of conformity exemption, FHWA conformity determination if Section 6005 project; §106 commitments; §4(f); §7 results; Wetlands Finding; Floodplain Finding; additional studies; and design conditions). Revised June 7, 2010

**EXHIBIT F**  
**PAGE 1 OF 2 PAGES**

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EXHIBIT F  
**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**

Continuation Sheet

<b>05-MON-1</b>	<b>34.1</b>	<b>1C200</b>	<b>05 1200 0082</b>
Dist.-Co.-Rte. (or Local Agency)	P.W.P.M.	E.A. (State project)	Federal Aid Project No. (Local project) Proj. No.

Continued from page 1:

*A drop inlet and an asphalt concrete dike will be installed along the southbound shoulder to prevent highway runoff from eroding the fill slope and causing the road to settle. A new 30-inch x 60-foot downdrain will convey discharge onto a 9 x 12-foot gabion basket dissipater approximately 60 feet below the road shoulder. Vegetation along the downdrain path will be cut to the ground as necessary to access the work site. No grubbing of vegetation will be required to install the down drain and gablons.*

*The area to be filled will be approximately 3,400 square feet (~0.08 acre) on the inlet side of the culvert. Following construction the newly filled embankment area will be covered with rolled erosion control product (netting) and divided by fiber rolls, followed by hydro-seeding with plants native to the area.*

*No archaeological resources were identified within or adjacent to the project area. One historic resource, the Carmel to San Simeon Highway Historic District is located in the project vicinity. The project will have no impact to the Carmel to San Simeon Highway Historic District.*

*The project is located on a designated scenic highway, however the proposed work will not result in damage to scenic resources. The area that will be filled on the inland side of the highway will be revegetated following replacement of the culvert and the downdrain and gabion baskets that will be installed on the ocean side of the highway will be placed on the surface of the slope in a heavily vegetated area and will not be visible from any public viewpoints.*

*The project will not affect federal or state listed plant or animal species. No wetlands will be affected. The culvert conveys road and hillside runoff under the highway and downhill to the Pacific Ocean. The project culvert is not on a jurisdictional drainage. The project will not require U.S. Army Corps of Engineers or Regional Water Quality Control Board permits or a California Department of Fish and Game Streambed Alteration Agreement. The project is located within the jurisdiction of the County of Monterey Local Coastal Plan and will require consultation with that agency.*

*Traffic will be maintained through the construction site using single-lane closures and flaggers for traffic control. Construction material and equipment staging will be in existing paved areas and unvegetated dirt pullouts within Caltrans right-of-way.*