

INFORMATION HANDOUT

For Contract No. 01-0B4704

At 01-MEN-1-35.7

Identified by

Project ID 0112000131

PERMITS

County of Mendocino, Department of Planning & Building Services

860 North Bush Street
Fort Bragg, CA 95437
(707) 964-5379
Coastal Development Standard Permit
CDP #2014-0029

AGREEMENTS

U.S. Fish and Wildlife Service, Arcata Fish and Wildlife Office

1655 Heindon Road
Arcata, CA 95521
(707) 822-7201
AFWO-14B0018-14I0028
Informal Consultation for the Sartori Gulch Slipout Repair Project, State Route 1
Mendocino County, California

GEOTECHNICAL RECOMMENDATIONS

CALTRANS Division of Engineering Services

Geotechnical Design Recommendations
Dated: April 27, 2015

01-0B4704
01-MEN-1-35.7/0.0
Project ID 0112000131

COASTAL DEVELOPMENT STANDARD PERMIT
CDP #2014-0029



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
 120 WEST FIR STREET • UKIAH • CALIFORNIA • 95437

STEVE DUNNICLIFF, DIRECTOR
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AUGUST 3, 2015

COASTAL DEVELOPMENT STANDARD PERMIT

CASE#: CDPM_2015-0003

OWNER/APPLICANT: CA DEPT. OF TRANSPORTATION

AGENT: ADELE POMMERENCK

PROJECT COORDINATOR: JULIA ACKER

REQUEST: Coastal Development Permit Modification of CDP 2014-0029 which authorized the California Department of Transportation (Caltrans) proposes a project on State Route 1 at post mile 35.74 in Mendocino County. Due to heavy rains in the spring of 2011, the roadway experienced a slipout. The purpose of this project is to repair the slipout and restore the roadway to its pre-storm condition. The proposed modification would eliminate Conditions 9 (b) and 9 (c) from the original approval, as the underdrain work has been eliminated from this project.

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA under Class 1.

LOCATION: In the Coastal Zone, located on the west side of State Route 1 at post mile marker 35.74, located within the Caltrans right-of-way. APN's 127-100-RW, 127-080-03, 127-080-04, 127-090-02, 127-090-03.

ACTION: Approved with Conditions.

EFFECTIVE DATE: 7/29/2015

EXPIRATION DATE: 8/4/2017

CONDITIONS OF APPROVAL: See Final Findings and Conditions of Approval.

Department of Planning and Building Services Statement: I hereby certify that all conditions which must be met prior to use or occupancy of this permit have been met and that this permit is deemed by the Department of Planning and Building Services to be a valid permit subject to all conditions of approval.

Brie Kinner

DEPUTY COASTAL PERMIT ADMINISTRATOR

8/3/15

DATE

Owner's Statement: I am the owner of the property subject to this permit (or his/her authorized agent) and I hereby certify that I have reviewed the conditions of approval and will establish and continue the use in compliance with the specified conditions and applicable sections of the Mendocino County Code. I further grant permission for County staff to enter upon the premises for which the permit is issued to verify compliance with the required conditions.

OWNER

DATE



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**FINAL FINDINGS AND CONDITIONS OF APPROVAL
CASE# CDPM_2015-0003 - CALIFORNIA DEPARTMENT OF TRANSPORTATION
JUNE 26, 2015**

The Coastal Permit Administrator approves Coastal Development Permit Modification #CDPM 2015-0003, per the amended conditions of approval from CDP 2014-0029 below.

FINDINGS:

1. The proposed development is in conformity with the certified Local Coastal Program; and
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities; and
3. The proposed development is consistent with the purpose and intent of the applicable zoning district, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and
4. The proposed development, if constructed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment and is considered categorically exempt under Class 1 within the meaning of the California Environmental Quality Act; and
5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource; and
6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and Coastal Element of the General Plan.
8. As conditioned, the following findings can be made for development proposed within Environmentally Sensitive Habitat Areas:
 - (a) The resource as identified will not be significantly degraded by the proposed development.
 - (b) There is no feasible less environmentally damaging alternative.
 - (c) All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.

2. The use shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of land boundaries and right-of-way encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of land boundaries within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
9. The Geotechnical recommendations from the Department of Transportation, Division of Engineering Services, Geotechnical Services, Office of Geotechnical Design North Branch B in a Geotechnical Recommendations Memorandum, dated April 24, 2013, shall be adopted as required conditions and shall be followed during construction of the project. Planning and Building Services shall be notified of any changes to these recommendations. The required conditions are as follows:
 - a. For restoration of the highway fill slope:
 - i. Excavate and removed failed material approximately 15 feet left of Stations 102+07 to 102+45.
 - ii. The back slope and side slopes for the reconstruction of the fill slope are recommended to be excavated at a 1:1 slope ratio.
 - iii. Repair the fill slope utilizing ¼ ton rock slope protection (RSP).
 - iv. The RSP slope is recommended to be constructed at a 1.5:1 slope ratio.

- v. Select imported fill could be mixed in with the RSP in order to help plans vegetate the repaired fill slope.
10. To provide for the protection of visual resources and enhanced erosion control, a monitoring report shall be submitted to the Planning Division each year for five years, to determine the effectiveness of the re-vegetation at the site. If the site does not return to its original condition within five years, Caltrans shall be required to perform additional plantings and monitoring to ensure visual resources are restored to their pre-construction condition. A report shall be submitted by January 22 each year, with reporting requirements ending in the year 2020.
 11. Prior to initiation of construction activities, the contractor shall submit a copy of the Grading and Erosion Control Plan (or equivalent) to Planning and Building Services for review.
 12. All downdrain pipes shall be colored to blend with the surrounding environment. Black or dark brown are the most preferable to reduce visual impact.
 13. The Environmentally Sensitive Habitat Areas as shown in Appendix A maps shall be protected in perpetuity from development and disturbance. The following measures are required to ensure protection of ESHAs during and after development activities:
 - a. Prior to development activities, all contractors and subcontractors shall be informed of sensitive resources within the project area, and a copy of this staff report shall be provided, and shall be in their possession during all on-site construction activities. The significance of the limits of construction impacts and fencing shall be clearly explained to all parties working within the project area both during and following construction.
 - b. Temporary fencing shall be established around ESHA 1 and ESHA 2 to prohibit construction activities within the wetland and 1-parameter wetland.
 - c. A follow-up rare plant survey shall be conducted during the blooming season (April through August) before construction begins to verify that the individual Mendocino coast paintbrush is still alive and present. If the follow-up survey is negative for Mendocino coast paintbrush, it will be presumed lost from the site and relocation shall not be conducted. If the individual is verified present, it shall be relocated to a location outside of the work area. Regardless of presence of the individual, topsoil at the location of the individual shall be salvaged and placed outside of the work area, to preserve the potential seed bed of the plant.
 - d. The following avoidance measures shall be incorporated into the project in order to protect the California red-legged frog and its habitat during construction:
 - i. A qualified biologist (i.e., certified by the US Fish and Wildlife Service(USFWS)) shall conduct Worker Environmental Awareness Training for the construction workers prior to the start of construction activities. Awareness training shall include a brief review of the biology of the California red-legged frog and guidelines that must be followed by all construction personnel to avoid take of California red-legged frogs.
 - ii. A qualified biologist shall appoint a biological monitor (e.g., the crew foreman) who will be responsible for ensuring that all crewmembers comply with the guidelines. Awareness Training shall be conducted for new personnel before they can participate in construction activities. The qualified biologist will notify the Resident Engineer who shall address any work stoppage, and USFWS shall be contacted if a California red-legged frog at any life stage (i.e., adults, sub-adults, tadpoles, eggs) is encountered during project activities.
 - iii. Within 24 hours prior to the onset of ground disturbance activities, the qualified biologist shall survey the project area for all life stages of the California red-legged frog. Surveys must be conducted immediately prior to ground-disturbing activities to lower the probability of one or more adult or sub-adult frogs moving into or laying eggs within the project area after a survey has already been conducted.

- iv. If California red-legged frogs (including eggs and tadpoles) are encountered at any time during project activities, construction activities shall cease in the area and the USFWS shall be notified to determine how to proceed.
 - v. Water pumps shall be screened with wire mesh screens no larger than 0.2 inch to prevent California red-legged frog tadpoles, sub-adults, and adults from entering the pump system. Although pre-activity surveys may have detected no California red-legged frogs, this measure is to ensure that frogs that were missed during the survey are not harmed or killed by water pumps.
 - vi. The contractor shall implement a toxic materials control and spill response plan, and shall submit a copy of such plan to the Mendocino County Planning Division for record keeping. Equipment refueling shall only occur at staging areas where fuel will not enter the floodplain.
 - vii. All vegetation removal activities shall be done with the use of hand tools only (including chainsaws).
 - viii. The number of access routes, numbers and sizes of staging areas, and the total area of activity shall be limited to the minimum necessary to achieve the project goal. Routes and boundaries shall be clearly demarcated.
- e. Areas that could be possible aquatic habitat for northern red-legged frogs and southern torrent salamanders shall be avoided. Pre-construction surveys shall be conducted for the species. Any southern torrent salamander observed within the work area shall be relocated outside of the work area. Any individual red-legged frogs that may be observed shall be treated as California red-legged frogs, which have a higher level of legal protection. Additional avoidance and minimization measures to protect the California red-legged frog (Conditions 5(d)(i)-(viii)) shall also protect northern red-legged frogs and southern torrent salamanders.



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July 16, 2015

NOTICE OF FINAL ACTION

Action has been completed by the County of Mendocino on the below described project located within the Coastal Zone.

CASE#: CDPM_2015-0003

DATE FILED: 6/1/2015

OWNER/APPLICANT: CA DEPARTMENT OF TRANSPORTATION

AGENT: ADELE POMMERENCK

PROJECT COORDINATOR: JULIA ACKER

REQUEST: Coastal Development Permit Modification of GDP 2014-0029 which authorized the California Department of Transportation (Caltrans) proposes a project on State Route 1 at post mile 35.74 in Mendocino County. Due to heavy rains in the spring of 2011, the roadway experienced a silpout. The purpose of this project is to repair the silpout and restore the roadway to its pre-storm condition. The proposed modification would eliminate Conditions 9 (b) and 9 (c) from the original approval, as the underdrain work has been eliminated from this project.

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA under Class 1.

LOCATION: In the Coastal Zone, located on the west side of State Route 1 at post mile marker 35.74, located within the Caltrans right-of-way. APN's 127-100-RW, 127-080-03, 127-080-04, 127-090-02, 127-090-03.

ACTION TAKEN:

The Coastal Permit Administrator, on June 26, 2015, approved the above described project. See attached findings and conditions in support of this decision.

The above project was not appealed at the local level.

This project is appealable to the Coastal Commission pursuant to Public Resources Code, Section 30603. An aggrieved person may appeal this decision to the Coastal Commission within 10 working days following Coastal Commission receipt of this notice. Appeals must be in writing to the appropriate Coastal Commission district office.

Attachments

cc: Coastal Commission
Assessor



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DEPARTMENT OF PLANNING AND BUILDING SERVICES
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FINAL FINDINGS AND CONDITIONS OF APPROVAL
CASE# CDPM_2015-0003 - CALIFORNIA DEPARTMENT OF TRANSPORTATION
JUNE 26, 2015

The Coastal Permit Administrator approves Coastal Development Permit Modification #CDPM 2015-0003, per the amended conditions of approval from CDP 2014-0029 below.

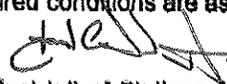
FINDINGS:

1. The proposed development is in conformity with the certified Local Coastal Program; and
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities; and
3. The proposed development is consistent with the purpose and intent of the applicable zoning district, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and
4. The proposed development, if constructed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment and is considered categorically exempt under Class 1 within the meaning of the California Environmental Quality Act; and
5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource; and
6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and Coastal Element of the General Plan.
8. As conditioned, the following findings can be made for development proposed within Environmentally Sensitive Habitat Areas:
 - (a) The resource as identified will not be significantly degraded by the proposed development.
 - (b) There is no feasible less environmentally damaging alternative.
 - (c) All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

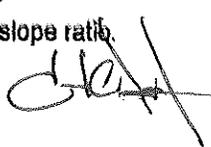
CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.

2. The use shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of land boundaries and right-of-way encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of land boundaries within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
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 - a. For restoration of the highway fill slope:

April 27, 2015 

 - i. Excavate and removed failed material approximately 15 feet left of Stations 102+07 to 102+45.
 - ii. The back slope and side slopes for the reconstruction of the fill slope are recommended to be excavated at a 1:1 slope ratio.
 - iii. Repair the fill slope utilizing ¼ ton rock slope protection (RSP).
 - iv. The RSP slope is recommended to be constructed at a 1.5:1 slope ratio.

1:1 

- v. Select Imported fill could be mixed in with the RSP in order to help plants vegetate the repaired fill slope.
10. To provide for the protection of visual resources and enhanced erosion control, a monitoring report shall be submitted to the Planning Division each year for five years, to determine the effectiveness of the re-vegetation at the site. If the site does not return to its original condition within five years, Caltrans shall be required to perform additional plantings and monitoring to ensure visual resources are restored to their pre-construction condition. A report shall be submitted by January 22 each year, with reporting requirements ending in the year 2020.
 11. Prior to initiation of construction activities, the contractor shall submit a copy of the Grading and Erosion Control Plan (or equivalent) to Planning and Building Services for review.
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 - b. Temporary fencing shall be established around ESHA 1 and ESHA 2 to prohibit construction activities within the wetland and 1-parameter wetland.
 - c. A follow-up rare plant survey shall be conducted during the blooming season (April through August) before construction begins to verify that the individual Mendocino coast paintbrush is still alive and present. If the follow-up survey is negative for Mendocino coast paintbrush, it will be presumed lost from the site and relocation shall not be conducted. If the individual is verified present, it shall be relocated to a location outside of the work area. Regardless of presence of the individual, topsoil at the location of the individual shall be salvaged and placed outside of the work area, to preserve the potential seed bed of the plant.
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 - ii. A qualified biologist shall appoint a biological monitor (e.g., the crew foreman) who will be responsible for ensuring that all crewmembers comply with the guidelines. Awareness Training shall be conducted for new personnel before they can participate in construction activities. The qualified biologist will notify the Resident Engineer who shall address any work stoppage, and USFWS shall be contacted if a California red-legged frog at any life stage (i.e., adults, sub-adults, tadpoles, eggs) is encountered during project activities.
 - iii. Within 24 hours prior to the onset of ground disturbance activities, the qualified biologist shall survey the project area for all life stages of the California red-legged frog. Surveys must be conducted immediately prior to ground-disturbing activities to lower the probability of one or more adult or sub-adult frogs moving into or laying eggs within the project area after a survey has already been conducted.

- iv. If California red-legged frogs (including eggs and tadpoles) are encountered at any time during project activities, construction activities shall cease in the area and the USFWS shall be notified to determine how to proceed.
 - v. Water pumps shall be screened with wire mesh screens no larger than 0.2 inch to prevent California red-legged frog tadpoles, sub-adults, and adults from entering the pump system. Although pre-activity surveys may have detected no California red-legged frogs, this measure is to ensure that frogs that were missed during the survey are not harmed or killed by water pumps.
 - vi. The contractor shall implement a toxic materials control and spill response plan, and shall submit a copy of such plan to the Mendocino County Planning Division for record keeping. Equipment refueling shall only occur at staging areas where fuel will not enter the floodplain.
 - vii. All vegetation removal activities shall be done with the use of hand tools only (including chainsaws).
 - viii. The number of access routes, numbers and sizes of staging areas, and the total area of activity shall be limited to the minimum necessary to achieve the project goal. Routes and boundaries shall be clearly demarcated.
- e. Areas that could be possible aquatic habitat for northern red-legged frogs and southern torrent salamanders shall be avoided. Pre-construction surveys shall be conducted for the species. Any southern torrent salamander observed within the work area shall be relocated outside of the work area. Any individual red-legged frogs that may be observed shall be treated as California red-legged frogs, which have a higher level of legal protection. Additional avoidance and minimization measures to protect the California red-legged frog (Conditions 5(d)(i)-(viii)) shall also protect northern red-legged frogs and southern torrent salamanders.



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COASTAL DEVELOPMENT STANDARD PERMIT

CASE#: CDP #2014-0029
APPLICANT: CALIFORNIA DEPARTMENT OF TRANSPORTATION
AGENT: ADELE POMMERENCK, ENVIRONMENTAL BRANCH MANAGER
REQUEST: Standard Coastal Development permit to allow the California Department of Transportation (Caltrans) to repair a slipout and restore the roadway on Highway 1, at post mile (PM) 35.74 in Mendocino County, to its pre-storm condition.
APPEALABLE AREA: Yes
LOCATION: In the Coastal Zone, located on the west side of Highway 1 at post mile marker 35.74, located within the Caltrans right-of-way.
PROJECT COORDINATOR: JULIA ACKER

ACTION: Approved with Conditions.

COASTAL PERMIT EFFECTIVE DATE: February 26, 2015

COASTAL PERMIT EXPIRATION DATE: February 26, 2017

CONDITIONS OF APPROVAL: See Coastal Permit Administrator Action Sheet for conditions.

Department of Planning and Building Services Statement: I hereby certify that all conditions which must be met prior to use or occupancy of this permit have been met and that this permit is deemed by the Department of Planning and Building Services to be a valid permit subject to all conditions of approval.

Bree Kuzin

4/6/15

Deputy Coastal Permit Administrator

Date

Owner's Statement: I am the owner of the property subject to this permit (or his/her authorized agent) and I hereby certify that I have reviewed the conditions of approval and will establish and continue the use in compliance with the specified conditions and applicable sections of the Mendocino County Code. I further grant permission for County staff to enter upon the premises for which the permit is issued to verify compliance with the required conditions.

Owner

Date



FINAL FINDINGS AND CONDITIONS OF APPROVAL
CASE# CDP 2014-0029 - CALTRANS
FEBRUARY 26, 2015

PROJECT FINDINGS AND CONDITIONS: Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Code, the Board of Supervisors approves the proposed project, and adopts the following findings and conditions.

FINDINGS:

1. The proposed development is in conformity with the certified Local Coastal Program; and
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities; and
3. The proposed development is consistent with the purpose and intent of the applicable zoning district, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and
4. The proposed development, if constructed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment and is considered categorically exempt under Class 1 within the meaning of the California Environmental Quality Act; and
5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource; and
6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and Coastal Element of the General Plan.
8. As conditioned, the following findings can be made for development proposed within Environmentally Sensitive Habitat Areas:
 - (a) The resource as identified will not be significantly degraded by the proposed development.
 - (b) There is no feasible less environmentally damaging alternative.
 - (c) All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.

2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
9. The Geotechnical recommendations from the Department of Transportation, Division of Engineering Services, Geotechnical Services, Office of Geotechnical Design North Branch B in a Geotechnical Recommendations Memorandum, dated April 24, 2013, shall be adopted as required conditions and shall be followed during construction of the project. Planning and Building Services shall be notified of any changes to these recommendations. The required conditions are as follows:
 - a. For restoration of the highway fill slope:
 - i. Excavate and removed failed material approximately 15 feet left of Stations 102+07 to 102+45.
 - ii. The back slope and side slopes for the reconstruction of the fill slope are recommended to be excavated at a 1:1 slope ratio.
 - iii. Repair the fill slope utilizing ¼ ton rock slope protection (RSP).
 - iv. The RSP slope is recommended to be constructed at a 1.5:1 slope ratio.

- v. Select imported fill could be mixed in with the RSP in order to help plants vegetate the repaired fill slope.
- b. It is also recommended to construct a deep underdrain in order to intercept subsurface water from entering the roadway embankment in this location. The following recommendations were provided for design of the underdrain trench:
- i. The approximate beginning of the deep underdrain is 30 feet right of Station 100+00.
 - ii. The approximate ending of the deep underdrain is 25 feet left of Station 100+30.
 - iii. The deep underdrain should be approximately 20 feet deep.
 - iv. Fill the deep underdrain with permeable gravel.
 - v. The deep underdrain should drain from the right to left at a minimum negative 5% grade.
 - vi. The outlet pipe should be designed with a minimum 2% grade.
 - vii. The outlet pipe should be drain into the existing gully located adjacent to the approximate left end of the underdrain.
 - viii. Contact the Hydraulics Branch in order to confirm that the discharge from the outlet pipe is in a suitable location.
 - ix. Place an 8 inch diameter corrugated perforated plastic pipe 6 inches above the bottom of the deep underdrain and connect to the outlet pipe.
 - x. The outlet pipe should be designed using an 8 inch solid plastic pipe.
 - xi. Place risers at both ends of the deep underdrain. See the 2010 Standard Plans Section 68-2.02 for details.
 - xii. The deep underdrain trench should have a minimum width of 2 feet.
 - xiii. The top of the deep underdrain should be covered with Class A Filter Fabric before the roadbed structural section and pavement is placed.
- c. Construction considerations for the underdrain:
- i. It is recommended that excavation of the deep underdrain start at the outlet location for elevation control.
 - ii. Shoring will be required to support the excavation of the deep underdrain during construction.
 - iii. If non-rippable rock is encountered within the limits of the deep underdrain excavation, the Geotechnical Branch should be contacted for additional recommendations.
 - iv. Groundwater may be encountered within the deep underdrain excavation.
10. To provide for the protection of visual resources and enhanced erosion control, a monitoring report shall be submitted to the Planning Division each year for five years, to determine the effectiveness of the re-vegetation at the site. If the site does not return to its original condition within five years, Caltrans shall be required to perform additional plantings and monitoring to ensure visual resources are restored to their pre-construction condition. A report shall be submitted by January 22 each year, with reporting requirements ending in the year 2020.
11. Prior to initiation of construction activities, the contractor shall submit a copy of the Grading and Erosion Control Plan (or equivalent) to Planning and Building Services for review.
12. All downdrain pipes shall be colored to blend with the surrounding environment. Black or dark brown are the most preferable to reduce visual impact.

13. The Environmentally Sensitive Habitat Areas as shown in Appendix A maps shall be protected in perpetuity from development and disturbance. The following measures are required to ensure protection of ESHAs during and after development activities:
- a. Prior to development activities, all contractors and subcontractors shall be informed of sensitive resources within the project area, and a copy of this staff report shall be provided, and shall be in their possession during all on-site construction activities. The significance of the limits of construction impacts and fencing shall be clearly explained to all parties working within the project area both during and following construction.
 - b. Temporary fencing shall be established around ESHA 1 and ESHA 2 to prohibit construction activities within the wetland and 1-parameter wetland.
 - c. A follow-up rare plant survey shall be conducted during the blooming season (April through August) before construction begins to verify that the individual Mendocino coast paintbrush is still alive and present. If the follow-up survey is negative for Mendocino coast paintbrush, it will be presumed lost from the site and relocation shall not be conducted. If the individual is verified present, it shall be relocated to a location outside of the work area. Regardless of presence of the individual, topsoil at the location of the individual shall be salvaged and placed outside of the work area, to preserve the potential seed bed of the plant.
 - d. The following avoidance measures shall be incorporated into the project in order to protect the California red-legged frog and its habitat during construction:
 - i. A qualified biologist (i.e., certified by the US Fish and Wildlife Service(USFWS)) shall conduct Worker Environmental Awareness Training for the construction workers prior to the start of construction activities. Awareness training shall include a brief review of the biology of the California red-legged frog and guidelines that must be followed by all construction personnel to avoid take of California red-legged frogs.
 - ii. A qualified biologist shall appoint a biological monitor (e.g., the crew foreman) who will be responsible for ensuring that all crewmembers comply with the guidelines. Awareness Training shall be conducted for new personnel before they can participate in construction activities. The qualified biologist will notify the Resident Engineer who shall address any work stoppage, and USFWS shall be contacted if a California red-legged frog at any life stage (i.e., adults, sub-adults, tadpoles, eggs) is encountered during project activities.
 - iii. Within 24 hours prior to the onset of ground disturbance activities, the qualified biologist shall survey the project area for all life stages of the California red-legged frog. Surveys must be conducted immediately prior to ground-disturbing activities to lower the probability of one or more adult or sub-adult frogs moving into or laying eggs within the project area after a survey has already been conducted.
 - iv. If California red-legged frogs (including eggs and tadpoles) are encountered at any time during project activities, construction activities shall cease in the area and the USFWS shall be notified to determine how to proceed.
 - v. Water pumps shall be screened with wire mesh screens no larger than 0.2 inch to prevent California red-legged frog tadpoles, sub-adults, and adults from entering the pump system. Although pre-activity surveys may have detected no California red-legged frogs, this measure is to ensure that frogs that were missed during the survey are not harmed or killed by water pumps.
 - vi. The contractor shall implement a toxic materials control and spill response plan, and shall submit a copy of such plan to the Mendocino County Planning Division for record keeping. Equipment refueling shall only occur at staging areas where fuel will not enter the floodplain.

- vii. All vegetation removal activities shall be done with the use of hand tools only (including chainsaws).
 - viii. The number of access routes, numbers and sizes of staging areas, and the total area of activity shall be limited to the minimum necessary to achieve the project goal. Routes and boundaries shall be clearly demarcated.
- e. Areas that could be possible aquatic habitat for northern red-legged frogs and southern torrent salamanders shall be avoided. Pre-construction surveys shall be conducted for the species. Any southern torrent salamander observed within the work area shall be relocated outside of the work area. Any individual red-legged frogs that may be observed shall be treated as California red-legged frogs, which have a higher level of legal protection. Additional avoidance and minimization measures to protect the California red-legged frog (Conditions 5(d)(i)-(viii)) shall also protect northern red-legged frogs and southern torrent salamanders.

01-0B4704
01-MEN-1-35.7/0.0
Project ID 0112000131

FISH & WILDLIFE SERVICE
AFWO-14B0018-14I0028



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Arcata Fish and Wildlife Office

1655 Heindon Road

Arcata, California 95521

Phone: (707) 822-7201 FAX: (707) 822-8411



In Reply Refer To:
AFWO-14B0018-14I0028

MAR 20 2014

Adele Pommerenck, Chief
Environmental Management, M-2 Branch
California Department of Transportation, District 3
703 B Street
Marysville, California 95901

Subject: Informal Consultation for the Sartori Gulch Slipout Repair Project, State Route 1,
Mendocino County, California

Dear Ms. Pommerenck:

We have reviewed your request, dated January 30, 2014, and received February 5, 2014, for informal consultation with the Fish and Wildlife Service (Service) for the Sartori Gulch Slipout Repair Project, State Route 1, Mendocino County, California. This response is prepared in accordance with the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act), and its implementing regulations (50 CFR § 402). As the lead Federal action agency for the project, the California Department of Transportation (Caltrans) is seeking concurrence that the proposed project "may affect, but is not likely to adversely affect," the federally listed as threatened California red-legged frog (*Rana draytonii*).

This letter transmits the Service's concurrence with Caltrans' "may affect, not likely to adversely affect" determination for potential impacts to the California red-legged frog. No designated California red-legged frog critical habitat occurs within the project area.

Caltrans proposes to repair a slipout and restore the roadway on State Route 1 (SR 1) at Post Mile (PM) 35.74, approximately 1 mile northwest of the town of Elk. Proposed construction activities include the installation of two overside drain/pipe downdrains, one underdrain, rock slope protection (RSP) at outlets, and culvert repairs. Failed embankment material (slipout) will be removed and approximately a quarter ton of RSP will be placed in the excavated slipout. The RSP in the slipout may be mixed with native material to enhance vegetative regrowth.

Because the project area is within the range of the California red-legged frog, Caltrans conducted a habitat assessment within a one-mile radius of the project area, per the Service's 2005 guidance regarding on site assessments and field surveys for the species. Habitats within 1 mile of the site were assessed using USGS topographic maps and aerial photographs. Access to potential habitats was limited to areas seen from public access. These were evaluated at each access point and photos

were taken looking upstream and downstream. The nearest California red-legged frog record is approximately 5.5 miles south and east of the site, at a pond near Greenwood Creek. The Greenwood Creek watershed also represents the northernmost known occurrence of California red-legged frog genes along the California coast. The habitat assessment identified five aquatic habitats within one mile of the project site at Laurel Creek, Sartori Creek, Cavanaugh Creek, and two unnamed streams. These streams are small, first-order coastal intermittent and perennial streams. Public access to the aquatic habitats was limited to their crossings under SR 1.

Sartori Creek had two pools with sustained water and structure for refugia, which could be suitable breeding habitat for the California red-legged frog. The stream could also be used as dispersal habitat.

Avoidance and Minimization Measures

Caltrans, as the lead Federal action agency, will implement the following measures to avoid or minimize potential impacts to the federally listed California red-legged frog. The avoidance and minimization measures below apply to areas that contain potentially suitable California red-legged frog habitat.

- 1) A qualified biologist (*i.e.*, certified by the Service) will conduct Worker Environmental Awareness Training for the construction workers prior to the start of construction activities. Awareness training will include a brief review of the biology of the California red-legged frog and guidelines that must be followed by all construction personnel to avoid take of California red-legged frogs.
- 2) The qualified biologist will appoint a biological monitor (*e.g.*, the crew foreman) who will be responsible for ensuring that all crewmembers comply with the guidelines. Awareness Training will be conducted for new personnel before they can participate in construction activities. The qualified biologist will notify the Resident Engineer who will address any work stoppage, and the Service will be contacted if a California red-legged frog at any life stage (*i.e.*, adults, sub-adults, tadpoles, eggs) is encountered during project activities.
- 3) Within 24 hours prior to the onset of ground disturbance activities, the qualified biologist will survey the project area for all life stages of the California red-legged frog. Surveys must be conducted immediately prior to ground-disturbing activities to lower the probability of one or more adult or sub-adult frogs moving into or laying eggs within the project area after a survey has already been conducted.
- 4) If California red-legged frogs (including eggs and tadpoles) are encountered at any time during project activities, construction activities will cease in the area and the Service will be notified to determine how to proceed.
- 5) Water pumps will be screened with wire mesh screens no larger than 0.2 inch to prevent California red-legged frog tadpoles, sub-adults, and adults from entering the pump system. Although pre-activity surveys may have detected no California red-legged frogs, this measure is to ensure that frogs that were missed during the survey are not harmed or killed by water pumps.

- 6) All food-related trash will be disposed of in closed containers and removed from the project area at least twice per week during the construction period. Food may attract frog predators such as raccoons to the action area.
- 7) The contractor will implement a toxic materials control and spill response plan. Equipment refueling will only occur at staging areas where fuel will not enter the floodplain.
- 8) All vegetation removal activities will be done with the use of hand tools only (including chainsaws).
- 9) The number of access routes, numbers and sizes of staging areas, and the total area of the activity will be limited to the minimum necessary to achieve the project goal. Routes and boundaries will be clearly demarcated.

Concurrence

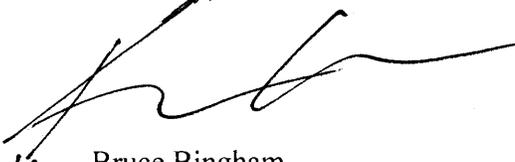
The Service concurs with Caltrans' determination that the proposed project activities may affect, but are not likely to adversely affect, the federally listed as threatened California red-legged frog, provided Caltrans implements the avoidance and minimization measures listed above. The Service concurs with Caltrans determination based on information provided in a biological assessment and email and telephone correspondence with Caltrans staff.

Conclusion

This concludes informal consultation on the Sartori Gulch Slipout Repair Project, State Route 1, Mendocino County, California. However, obligations under section 7 of the Act, as amended, should be reconsidered if: (1) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not previously considered; (2) this action is subsequently modified in a manner that was not considered; (3) a new species is listed or critical habitat designated that may be affected by the action; or (4) you are unable to implement all of the measures described above.

Thank you for your coordination on this project. Please contact fish and wildlife biologist Gregory Schmidt at (707) 825-5103 should you have further questions regarding this consultation.

Sincerely,


Action
for
Bruce Bingham
Field Supervisor

cc:
Caltrans, Eureka (Sean Marquis)
CDFW (Attn: JoAnn Dunn)

01-0B4704
01-MEN-1-35.7/0.0
Project ID 0112000131

GEOTECHNICAL DESIGN RECOMMENDATIONS
April 27, 2015

Memorandum

*Flex your power!
Be energy efficient!*

To: FRANK DEMLING
Storm Damage Project Engineer
North Region Design Branch M2

Date: April 27, 2015

File: 01-MEN-001-PM 35.74
EA: 01-0B4701
EFIS ID: 0112000131
Storm Damage Repair

Attn:

From: DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE OF GEOTECHNICAL DESIGN NORTH BRANCH B

Subject: Geotechnical Design Recommendations, Dinsmore Slipouts/Sink

Introduction

The Office of Geotechnical Design North (OGDN) is providing Geotechnical Design Recommendations for a storm damage site located in Mendocino County on State Route (SR) 001 at PM 35.74 (Figure 1). The subject site was damaged during significant rainfall in March 2011, as described in the Damage Assessment Form (DAF #41). The scope of work performed by OGDN included field investigations and preparation of this memorandum. We performed no drilling and have no subsurface information regarding the nature of the fill. Please note that all Station locations reported in this memo are approximate.

Field Investigations

In March of 2013, the Office of Geotechnical Design North Branch B performed site investigations and staff observed a fill failure along the left hinge point of the fill slope. Figure 2 is a plan map of the site and Figure 3 is a cross section through Station 102+25. The scarp of the failure was located approximately 17 feet left of the centerline between Station 102+11 and Station 102+41.

Recommendations

Based on our field observations, the following are our recommendations to restore the fill slope of the highway.

FRANK DEMLING
April 27, 2015

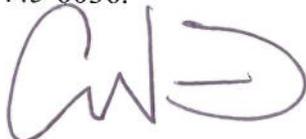
01-MEN-001-PM-35.74
EA: 01-0B4701
EFIS ID: 0112000131

1. Construct an RSP embankment on the left side of the roadway from Station 102+10 to Station 102+45 (Figure 2).
 - Excavate a 1:1 slope 13 feet left of the center line from Station 102+10 to Station 102+45 (Figures 2-4).
 - The base of the excavation should slope approximately 5% toward the toe of the slope for drainage (Figure 4).
 - Place RSP to achieve roadway width required by Design.
 - Place class 8 RSP fabric at the base of the excavation, on the excavated cutslope, and above the ¼-ton rock (see below) so as to wrap the RSP on three sides (See Section 72-1.03 in the 2010 Standard Specifications, regarding placement of fabric).
 - Place ¼-ton rock in accordance with Section 72-2.03B of the 2010 Standard Specifications.
 - The finished slope face should be 1:1 or gentler.
 - Place one foot of Class No. 3 rock (Placement Method B) above the RSP filter fabric (Figure 4).

An underdrain was originally proposed by this office but based on further consideration is not recommended. Disregard the Begin U.D. (underdrain) and End U.D. call outs in Figure 2.

We request that the Project Plans be submitted to the Office of Geotechnical Design North Branch B for review prior to final design.

If you have any questions or require further assistance, please contact Charlie Narwold at (707) 445-6036.



Charlie Narwold, CEG,
Senior Engineering Geologist
Geotechnical Design North
Branch B



Figures

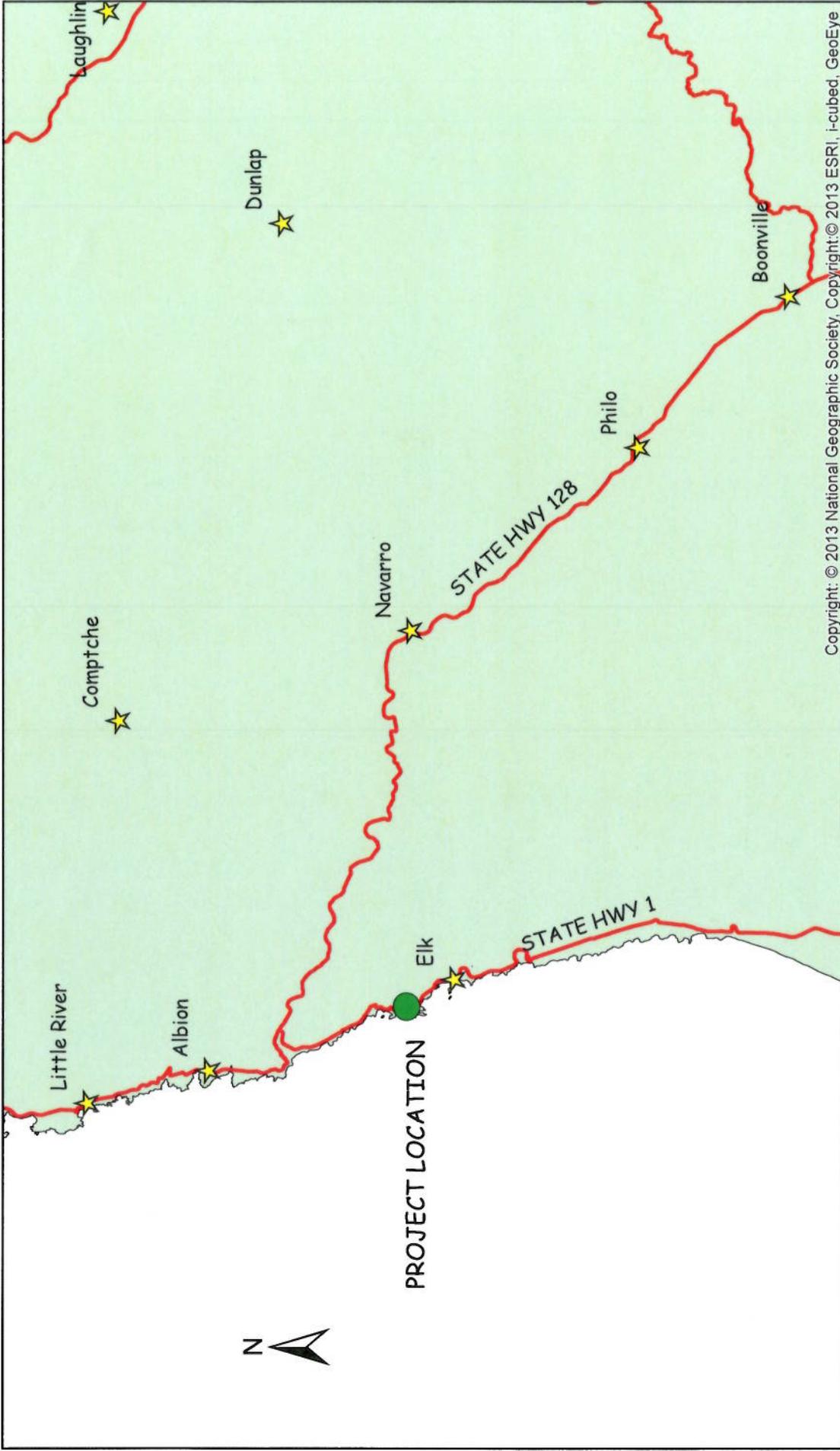
Figure 1. Project Vicinity Map

Figure 2. Plan map of MEN 001 PM 35.72, EA 01-0B4701.

Figure 3. Cross section at Station 102+25, MEN 001 PM 35.74, EA 01-0B4701.

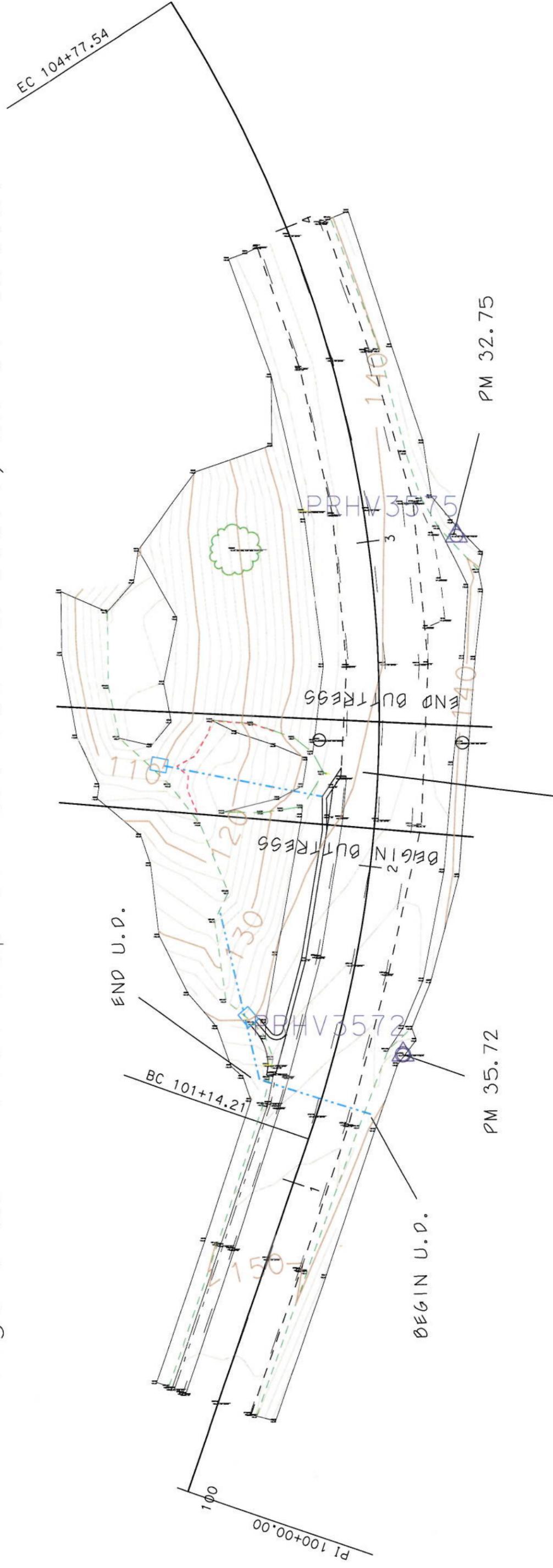
Figure 4. Typical design details for an RSP buttress.

C: OGDN Project File



Department of Transportation Division of Engineering Services Office of Geotechnical Design North Branch B	EFIS: 0112000131	VICINITY MAP
	DATE: MARCH 2014	
MEN 001 PM 35.72 STORM DAMAGE		FIGURE 1

Figure 2. -- Plan map of MEN 001 PM 35.74, EA 01-0B4701



PROPOSED RSP BUTTRESS
STATION 102+10 TO STATION 102+45

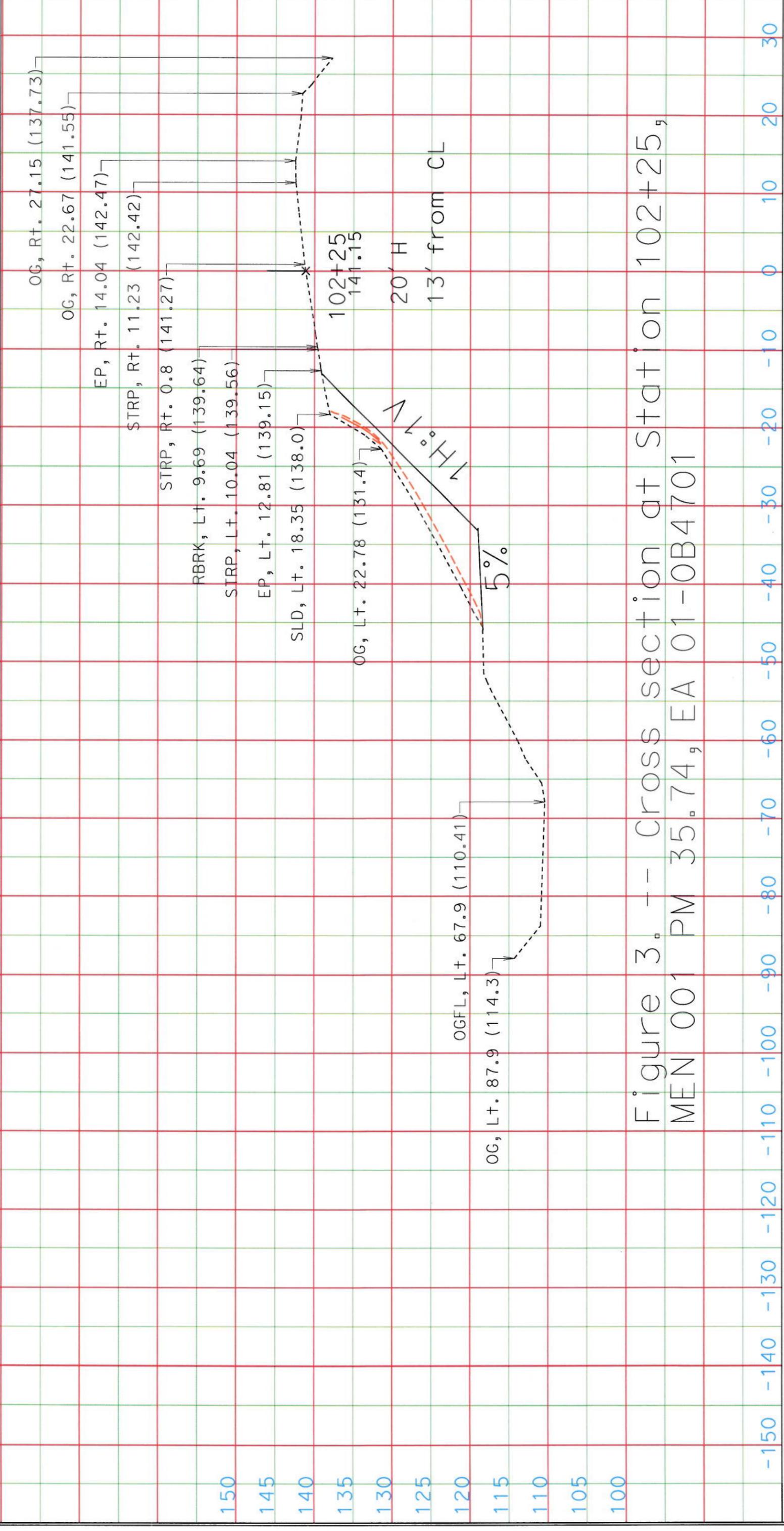
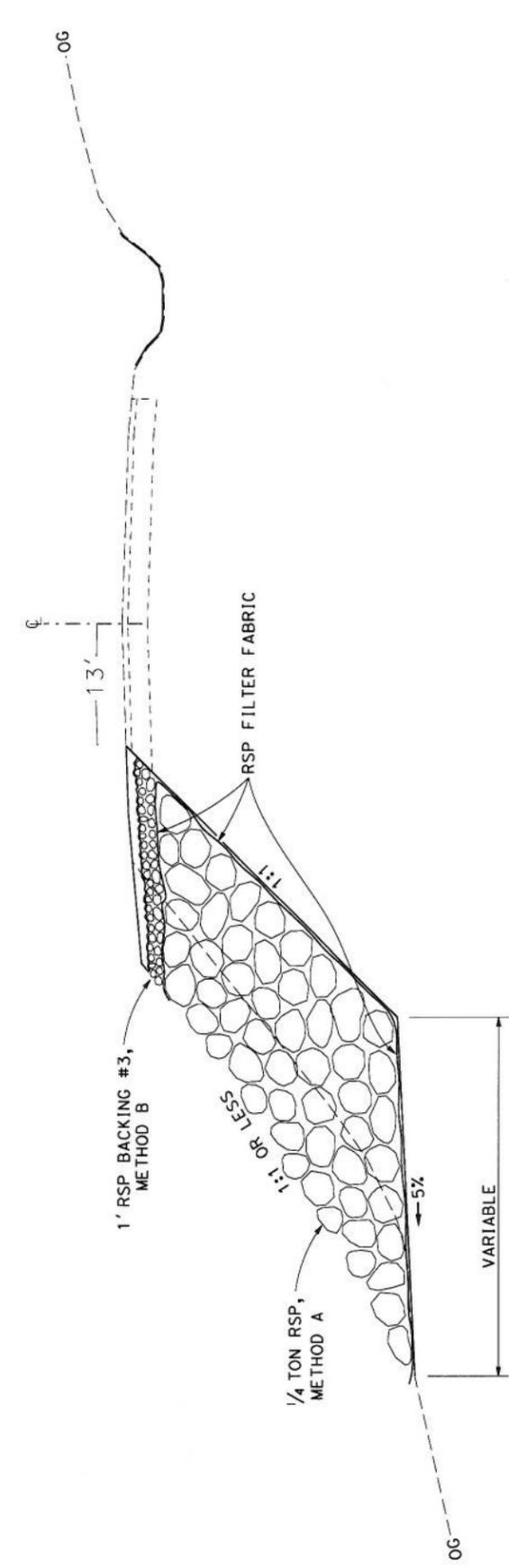


Figure 3. -- Cross section at Station 102+25,
 MEN 001 PM 35.74, EA 01-OB4701

Figure 4. --Typical design details for an RSP buttress.



TYPICAL CROSS SECTION
NO SCALE