



Sonoma County Board of Zoning Adjustments

STAFF REPORT

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403

(707) 565-1900 FAX (707) 565-1103

FILE: PLP12-0002
DATE: December 20, 2012
TIME: 1:10 p.m.
STAFF: Traci Tesconi

Appeal Period: 10 calendar days

SUMMARY

Applicant: The Sea Ranch Association

Owner (1): The Sea Ranch Association (Lot B)

Owner (2): James W. Daniel (Lot A)

Location: 33095 and 33012 Timber Ridge Road, and 33711 Highway 1, The Sea Ranch

APNs: 122-200-030 and -029 Supervisorial District No.: 5

Subject: Coastal Permit, Use Permit, and Lot Line Adjustment

PROPOSAL: Request for (1) a Lot Line Adjustment between two parcels 221.87 acres and 1.42 acres in size resulting in two parcels 220.37 acres and 2.92 acres in size to allow for (2) a Coastal Permit and Use Permit for The Sea Ranch Water Company to place a new pre-stressed concrete water storage tank approximately 900,000 gallons in size, 76 feet in diameter, and 35 feet in height on 2.92 acres to improve the existing water system of The Sea Ranch community.

Environmental Determination: Mitigated Negative Declaration

General Plan: Public Quasi Public (APN 122-200-029) and Resource and Rural Development (APN 122-200-030)

Specific/Area Plan:
Land Use: Local Coastal Plan
"Institutional"

Ord. Reference: Section 26C-182 (b) and Section 26C-52 (c) - (9)

Zoning: PF (Public Facilities), CC (APN 122-200-029), and RRD (Resource and Rural Development) B6 CC (Coastal Combining) 160 acre density/640 acre minimum / TP (Timberland Production) B6 CC , 160 acre density/640 acre minimum, SR (Scenic Resource)/ PF CC, SR (APN 122-200-030)

Application Complete for Processing: August 22, 2012

RECOMMENDATION: Adopt the Mitigated Negative Declaration and approve the request subject to Conditions of Approval.

ANALYSIS

Background: In 1967, the Sea Ranch Water Company's infrastructure was installed and expanded in 2005 and 2008. On August 26, 2005, The Sea Ranch Water Company received a letter from the California Department of Public Health (CDPH, formerly Health Services) informing them of the findings from the January 18, 2005 and June 1, 2005 annual inspections and file review of The Sea Ranch Water company's water system by Department's Drinking Water Field Operations staff. One of the items that needed to be addressed was item 1:

Water Supply and Storage: The Sea Ranch Water system must investigate increasing either the storage or source capacity in Zone 2 and 5 in order to meet fire flow requirements. The System should also investigate the development of additional source capacity for use during the summer months when the treatment plant is the sole source of supply.

Additionally, on January 24, 2008 a subsequent order by CDPH stated that: "*The system must investigate increasing either the storage or source capacity in Zones 4 or 5 in order to meet fire flow requirements.*"

On January 19, 2012, The Sea Ranch Water Company submitted the Coastal Permit and Use Permit applications. The location of the water storage tank was changed to the current project site, which required a Lot Line Adjustment be added to the project since The Sea Ranch Association needed to acquire additional land area for the water storage tank location. On June 7, 2012, the Lot Line Adjustment was added to the project.

After several months of communication between the Coastal Commission and PRMD staff, it was determined that under the criteria for exclusion pursuant to the *California Coastal Commission Exclusion Order*, dated Sept. 5, 1978; the replacement of the existing water lines serving The Sea Ranch water system was considered excluded from any coastal permitting process. On August 24, 2012, PRMD staff received an electronic message from Susan Craig, Supervising Coastal Planner of the California Coastal Commission in Santa Cruz, as follows:

"The replacement of the existing water lines qualifies for an exclusion from coastal permitting requirements under the Commission's 1978 "Repair, Maintenance, and Utility Hook-Up Exclusions from Permit Requirements." The installation of water tanks will require a coastal development permit, which you have already acknowledged."

In addition, the water line replacement project has been considered Categorically Exempt in accordance with the CEQA Guidelines Section 15302, Class 2 (c): *Replacement or Reconstruction of existing structures and facilities where the new structure is located on the same site and same purpose and capacity of the structure replaced.*

However, for the Coastal Permit, Use Permit, and Lot Line Adjustment project a Mitigated Negative Declaration was prepared in compliance with CEQA. The project is located in the Coastal Zone, and the

County is the responsible permitting agency with jurisdiction derived from adoption of the Sonoma County Local Coastal Plan (LCP) by the Coastal Commission.

Project Description:

The project proposal consists of a Coastal Permit, a Use Permit, and a Lot Line Adjustment to install a new water storage tank to serve existing water services of The Sea Ranch Community. The proposed water storage tank location straddles two parcels under two different land use and zoning boundaries (PF, CC and RRD, CC). A Lot Line Adjustment was concurrently filed in order to transfer 1.5 acres from Lot A (Daniels) to Lot B (The Sea Ranch Association) and as a result the project site total 2.92 acres in size. Conditions of approval require that The Sea Ranch Association submit a General Plan Amendment and Zone Change from the RRD CC district (Lot A) to the PF CC district (Lot B) on the 1.5 acres adjusted as a clean-up measure in order to eliminate the split zoning on the project site as a result of the Lot Line Adjustment.

The water source for the existing Sea Ranch water system is the Gualala River. The new water storage tank is a 900,000 gallon pre-stressed concrete water storage tank, 76 feet in diameter and approximately 35 feet in height. Approximately 4,000 square feet will be covered with a concrete pad and 80 feet of new road with permeable rock surface (not paved). Approximately 3,000 cubic yards of cut and 1,500 cubic yards of fill would be required. Vegetation to be removed consists of Bishop Pine trees, huckleberry, and forest shrub. Two Coastal lilies will be replanted on the project site which is further discussed in the staff report under Issue # 2 Biological Resources.

The new water storage tank is being proposed in order to resolve California Department of Public Health Title 22 hydraulic pipe pressure requirements, as well as, address fire flow deficiencies within the existing water system for The Sea Ranch community. No additional water connections are being proposed and the system will remain under its current State permit. The new tank is considered an addendum to their current permit with the California Department of Public Health- DDWEM (Division of Drinking Water & Environmental Management). Applicable grading and building permits are required from PRMD to ensure the water storage tank is properly constructed under the California Uniform Building Code requirements.

To select the appropriate water storage tank site location, five separate locations were evaluated based on the geotechnical stability and gravity. The constraints of the water system require the water storage tank be installed at the highest elevation approachable with the Sea Ranch while at the same time lying within the pressure zone boundaries for the targeted service areas for the tank. The project site provided the required geotechnical stability as well as the most appropriate elevation for the optimal water distribution. The proposed tank location is a safe distance from the Alquist-Priolo fault zone study area and 0.5 miles west of the San Andreas Fault. The geotechnical conditions of the proposed tank location are believed to offer the best conditions of the five alternative sites evaluated.

The construction and installation of the proposed water storage tank (Tank #8 Site 3) is estimated to take at least six months and will avoid any nesting seasons. Site preparation will be done using cranes, excavators, concrete pumping apparatus, loaders, and pickup trucks. Work hours are expected to be from 8 am to 5 pm, Monday through Friday. However, weekend activities on the site will be conditioned by special circumstances, upon permission in writing from The Sea Ranch Water Company and every attempt to avoid any disruption to neighboring residents.

For the tank installation, sub-excavation will occur to a geo-technically acceptable region of bedrock. After the sub-excavation, the surface will be pre-compacted and the concrete floor will be poured. Tank wall panels will be cast in-place. Casting in-place is significantly more expensive than casting the panels on the ground; however, casting in-place reduces the overall footprint of the installation, thus reducing impacts to the surrounding habitats. After casting, the wall panels will be joined with welding straps and concrete slip, and the tank will be wrapped with 42 miles of 1/8 inch cable to provide the seismic

protections necessary for the size and geological location of the tank. Following the wire wrap installation, the exterior of the tank will receive a gunite coating and then painted a dark, forest green color. A concrete roof will be installed and the ground voids remaining around the tank will be backfilled and dressed down to match existing ground contours. The tank is located outside The Sea Ranch Design Review Committee's jurisdiction.

A five-foot, all-weather, non-paved access strip will be installed around the circumference of the tank to allow for maintenance and monitoring efforts. The combined diameter of the finished tank and five-foot access strip will be approximately 85 feet in diameter. The areas of ground disturbance around the tank will be covered in natural duff-type materials consistent with the surrounding environment and will be landscaped with native trees and shrubs appropriate for the site. Upon completion of the finish grading and landscaping, the construction access roads will be reduced to 12 feet in width and capped with a locally-sourced, brown-colored aggregate.

Upon completion, necessary landscape maintenance and monitoring will be continued around the site as needed to ensure stability and success of all work and species introduced in the landscape. Water leaving the tank through overflow or drainage of the tank will be routed through a closed storm drainage system to existing storm drainages on The Sea Ranch. The intent is to de-chlorinate all water from the tank in overflow or planned drainage operations with ascorbic acid neutralizing appliances installed within the pathways of water exiting the tank.

The existing water storage tank serving The Sea Ranch community is located on an adjacent parcel to the north (APN 155-050-005) owned by The Sea Ranch Water Company.

Site Characteristics:

The project site for the proposed new water storage tank contains an existing telecommunication tower. The parcel is owned by The Sea Ranch Association, the tower is owned by Verizon under a lease with The Sea Ranch Association for the tower site. The project site is approximately 1.2 miles east of Highway 1, and east of the intersections of Timber Ridge Road and Sea Forest Drive. The Gualala River is 0.70 miles to the east. It drains to the Pacific Ocean approximately 7 miles to the northwest. The parcel is heavily wooded with Northern Bishop Pine trees with native grasses and moderate slopes. Soils consist of Casper sandy loam, described as well-drained sandy loam on hill and mountain slopes. Elevations range from 770 to 790 feet.

Surrounding Land Use and Zoning:

The land surrounding the proposed tank site consists of Northern Bishop Pine and Upland Forest with dense understory vegetation. There are several houses scattered throughout the area, an existing 50,000 gallon water storage tank for The Sea Ranch Water Company, and a communication tower. To the east of the project site is a commercial forest land (APN 122-210-004), zoned TP (Timberland Production) CC (Coastal Combining) B6 160 acre minimum /640 acre density district. To the north-east is a Sea Ranch Commons parcel (APN 155-050-006), the Sea Ranch Water Company's existing water storage tank (APN 155-050-005), and a Sea Ranch Commons parcel (APN 155-050-004); all zoned PC (Planned Community), CC, SR (Scenic Resource). To the north-west are Timber Ridge Road and Sea Forest Drive and two parcels with single family residences (APN 155-050-008 and 155-060-008), both zoned PC (Planned Community), CC and approximately 300 feet from the proposed new water storage tank location.

DISCUSSION OF ISSUES

Issue #1: General Plan, Local Coastal Plan, and Local Coastal Zoning Ordinance Consistency

The majority of the project site is designated PQP (Public Quasi Public) by the Sonoma County General Plan. The project is consistent with the purpose of the PQP as it is intended for sites that serve the community or public need and are owned or operated by government agencies, non-profit entities, or

public utilities. The majority of the project site is designated 'Institutional' under the Land Use element of the Local Coastal Plan. *Institutional* is defined in the Local Coastal Plan as: "Land accommodating institutional or public uses". The project site contains an existing telecommunication tower for The Sea Ranch community. The Coastal Plan provides a matrix, as shown below, that demonstrates consistency amongst the General Plan, Local Coastal Plan, and Local Coastal Zoning Ordinance,

<u>General Plan Land Use</u>	<u>LCP Land Use</u>	<u>Zoning</u>
PQP	Institutional	PF

The project site is governed by the Local Coastal Plan, adopted in 2001. According to the Local Coastal Plan, The Sea Ranch, Fort Ross Highlands, Duncans Mills and Pacific View Estates are the only areas with adequate water for all existing and planned development (although The Sea Ranch must develop a supplemental water supply for periods of low river flow). Water system development and improvement continues at The Sea Ranch, Timber Cove, Sereno del Mar and Bodega Bay. Water supplies sufficient for subdivision buildout, or moderate additional expansion appears limited to these four areas. (Section VI- Development, subcategory Water Supply, Page 141). Nonetheless, the project proposal is to improve the existing water system serving the existing water connections.

The new water storage tank installation is being proposed to resolve California Department of Public Health Title 22 hydraulic pipe pressure requirements as well as to address fire flow deficiencies within the existing water system for The Sea Ranch community. Water connections are not being added and the system will remain under its current State permit.

The land being adjusted (1.50 acres) is zoned RRD B6 CC 160 acre minimum /640 acre density. The main parcel, owned by the Sea Ranch Association, is zoned PF (Public Facilities) CC. Under the PF zoning district under **Section 26C-182 (b)** it allows as a permitted use the following:

Sec. 26C-182: Permitted uses. The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the general plan or coastal plan, in which case a use permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the site development and erosion control standards.

(b): *Facilities for the production, generation, storage, or transmission of water by a special district.*

In addition, the placement of the water storage tank can be found consistent with the RRD CC zoning district under **Section 26C-52 (c)-(9)**, it allows with a Use Permit approval the following:

Section 26C-52 (c): *Other uses, unless such uses are in conflict with agriculture or timber production.*

(9) *Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, and transformer stations. Any such use on a parcel under a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted there under.*

The project site is not under a Williamson Act contract.

Issue #2: Biological Resources

Several potential sites were evaluated by The Sea Ranch Association for the new water storage tank location. On March 7, 23, 30, and April 6, 2012, WRA Environmental Consultants conducted an Environmentally Sensitive Habitat Area (ESHA) assessment on portions of three parcels located at the intersection of Timber Ridge Road and Sea Forest Drive (project area) in The Sea Ranch.

The California Coastal Act (CCA) and the Sonoma County Local Coastal Plan (LCP) define an ESHA as:

"...any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments."

WRA took into consideration any areas that may meet the definition of any ESHA defined by the California Coastal Act, the California Coastal Commission guidelines, or the Sonoma County Local Coastal Plan. It was determined that proposed project site (Site # 3) posed the least impacts to potential ESHA's. On May 14, 2012 and July 9, 2012, WRA prepared two addendums to their original ESHA assessments focusing solely on the project site. Based on an analysis of potential locations for the water tank, it was determined that the proposed project site is the only geo-technically feasible location for the water tank that also provides the gravity requirements.

The project site, as did the alternative sites, occurs within a potential *Northern Bishop Pine* ESHA and will occur within 25 feet of a smaller wetland, and 50 feet of a larger wetland, and within two feet of the *Coast Lily* populations on the project site, as explained below:

a. *Northern Bishop Pine Forest*: The entire project site has Northern Bishop Pine Forest. Because of the widespread population of Northern Bishop Pine Forest in The Sea Ranch area, it is not possible to locate the proposed water storage tank outside of this potential ESHA, and direct impacts are unavoidable. The project would require the removal of approximately 0.30 acres of the Northern Bishop Pine Forest (estimated 25 trees). However, given the widespread extent of this type in the vicinity, the impacts associated with the installation of the water storage tank are rather minimal. Mitigation measures require that upon completion of water storage tank installation/construction, the temporary road would be decommissioned and revegetated. Decommissioning would consist of removing the 3-inch minus rock and geotextile fabric, decompacting the underlying soil, and returning the original soil. The soil would be returned at the original grade and would be revegetated with Northern Bishop Pine and other native species. Revegetation efforts would adhere to a Revegetation and Monitoring plan created for the site by the project biologists of WRA (refer to Condition No. 30 through Condition No. 44).

b. *Wetlands*: The construction footprint will occur within 25 feet of a smaller wetland and within 50 feet of a larger wetland. Despite the close proximity to potential wetland, the wetland will be avoided and direct impacts will be minimized by the incorporation of Best Management Practices and the intact Northern Bishop Pine Forest with dense understory vegetation that will provide a buffer. Vegetation removal within the construction footprint may cause a temporary increase in surface runoff, however, the thick ground litter and organic soil horizons in the project area will serve to reduce overland flow and encourage percolation through the soil. Despite being in close proximity to the wetlands, the project will not cause a direct impact to the on-site wetland because the on-site wetland will be avoided and retained on the project site. The project does not involve direct removal, filling, hydrological interruption, or other means of disturbance of the two on-site wetlands. The intact forest and dense understory vegetation that will remain around the wetlands should be sufficient to protect the wetlands from any disturbance. Moreover, the plant and wildlife species found in and around the wetlands are all common species adapted to some level of disturbance and should not suffer long-term effects caused by construction activities. A combination of silt fence and construction fence shall be installed around the construction impact area. The locations of the fencing and any potential ESHA boundaries in the vicinity of construction shall be determined and flagged by a qualified biologist. The fencing shall be placed at the greatest distance possible from the two on-site wetlands and the coast lily populations. In addition, the project includes Best Management Practices and Low Impact Design (LID) features to preserve present water quality conditions. However indirect impacts may occur to the two on-site wetlands due to increased impervious surfaces and changes in storm water runoff. The natural topography within the construction impact area shall be left intact as much as is feasible such that runoff to the wetlands is not significantly altered. A mitigation measure requires that grading plans depict that stormwater runoff collected from water tank be directed through a dissipated drain outlet to a vegetated swale draining toward the wetlands in the project site. This will prevent the redirection of water from the wetlands while at

the same time reducing the velocity of stormwater runoff and reducing the potential for erosion or channelization from occurring on the project site (refer to Condition No. 36 through Condition No. 38, and Condition No. 48 and Condition No. 49).

c. *Coastal Lily*: The temporary construction road will be located immediately adjacent to the potential Coast Lily ESHA's. On June 26, 2012, a late season survey was conducted by WRA to confirm the identity of the coast lily occurrences documented during early season surveys and to determine the presence of any other special-status plant species. No other special-status plant species were observed during the late season survey; however, several new occurrences of coast lily were identified. As a result, the temporary construction road alignment was revised. The temporary construction road location increases temporary impacts to Northern Bishop Pine Forest, but significantly reduces impacts to the Coast Lily from 20 to 2 plants (Exhibit F). The latter impacts may be mitigated by transplanting the two coast lily individuals prior to construction of the road. Transplanting would occur in the fall and would be conducted by a qualified biologist using established protocols. Creating an opening in the Bishop Pine Forest will benefit the Coast Lily by providing more sunlight (refer to Condition No. 34 through Condition No. 36).

d. *Birds and Bats*: Construction activities associated with the water storage tank installation has the potential to impact breeding birds during the nesting season as well as special-status bats. Impacts to breeding birds (including non-special status species) are prohibited by the Migratory Bird Treaty Act. Bat roosts are protected by the California Department of Fish and Game. Therefore, an appropriate mitigation measure has been incorporated into the project to require pre-construction surveys, buffer zones, and avoidance during nesting to reduce potential impacts of disturbance of nesting birds and bat roosts (refer to Condition No.45 and Condition No. 46)

e. *Sonoma Tree Vole Habitat*: No STVs or evidence of STV was observed during the reconnaissance-level surveys; however, the Study Area contains mature Bishop Pine trees and is within the known range of the species and therefore has a high potential to occur within the Study Area. Tree removal may impact potential Sonoma Tree Vole (STV) nests and potential habitat due to physical removal or general noise and construction disturbance within the construction impact area. No standard mitigation measures have been established for removal of trees containing STV nests. According to CDFG (California Department of Fish and Game), the removal of occupied STV trees may be permitted if it can be shown that it will not dramatically reduce the population in question or if on- or off-site preservation of occupied habitat sufficiently mitigates for the loss.

WRA observed that project site composed of mature to declining individuals with no evidence of recruitment or regeneration. Bishop Pine requires fire to regenerate and maintain healthy stand and understory structure, and germination requires bare mineral soil such as that left behind after a fire. Due to historic suppression of fires in the vicinity of the project site, this forest was found to be filled with dense understory shrubs, much dead and downed wood, and large quantities of plant litter. Soils contained a two to eight inch layer of partially decomposed organic matter over the mineral soil surface. The stand contained little diversity in age or physical structure and several zones of recent mortality. The majority of trees were larger than 12 inches DBH, indicating that the stand is relatively old with little regeneration present in the understory. If left unmanaged and protected from fire, it is unlikely that this stand would maintain its structure or species composition into the future. As a mitigation for removal of Bishop pine within the potential Northern Bishop Pine Forest ESHA, a forest management and monitoring plan will be developed and implemented. This plan will aim to restore areas of temporary impacts to Northern Bishop Pine Forest and other non-ESHA forested habitats on the project site in order to encourage Bishop pine regeneration and improve the health and age structure of the stand in the absence of a natural fire regime. Overall the project will result in on- site preservation with a comprehensive Forest Management and Fuel Reduction Plan and will improve long-term habitat conditions for STV consistent with CDFG criteria (refer to Condition No. 44).

Buffer Zone Analysis:

Projects that propose construction with a buffer of less than 100 feet from a potential ESHA must provide information that indicates a lesser buffer distance will not have a significant adverse impact on the habitat. It was determined that the project site (Site 3) poses the least significant impacts to potential ESHAs within the Study Area, and as such, is the preferred site.

Criteria for Establishing Buffer Areas:

The width of a buffer zone should be a minimum of 100 feet for small projects on existing lots, unless the applicant can demonstrate that 100 feet is unnecessary to protect the resources of the habitat area. Attachment M of the Local Coastal Plan Administrative Manual lists certain findings that must be made in order to allow a reduced buffer zone. Using the criteria in Attachment M, WRA explains that a reduced buffer zone can be applied to the project based on the following:

1. Biological Significance of Adjacent Lands
2. Sensitivity of Species to Disturbance
3. Susceptibility of Parcel to Erosion
4. Use of Natural Topographic Features to Locate Development
5. Use of Existing Cultural Features to Locate Buffer Zones
6. Lot Configuration and Location of Existing Development
7. Type and Scale of Development Proposed

Staff analysis:

The Biological Resource Assessment, prepared by WRA, dated May 2012, addresses items 1 thru 7 above explaining that there will be no direct impacts to the potential wetland and Coast Lily ESHAs within the project site are anticipated for construction activities. However, there is potential for indirect impacts to these potential ESHAs due to construction activities within the 100-foot buffer zones and an increase in impervious surfaces. Several mitigation measures have been incorporated into the project to reduce these impacts to a less-than-significant level. Due to the widespread extent of Northern Bishop Pine Forest in The Sea Ranch area, it is not possible to locate the proposed water storage tank outside of this potential ESHA and direct impacts to this potential ESHA are unavoidable. However, given the widespread extent of this community type in the vicinity of the Study Area, the impacts associated with the installation of the water tank are rather minimal. The proposed water storage tank is also less than a 100-foot buffer around the two seasonal wetlands and the Coast Lily populations, however, the latter impact will be reduced by transplanting the two Coastal Lilies elsewhere on the project site. Several mitigation measures have been incorporated into the project, such as, but not limited to: installing silt fence and construction fence around the construction impact area, preparing and implementing a Forest Management and Monitoring Plan in order to mitigate for removal of Northern Bishop Pine in order to encourage Bishop pine regeneration and improve the health and age structure of the stand, preparing and implementing the Landscape Plan consisting of the new native landscaping, and conducting pre-construction surveys for nesting birds and roosting bats. The entire list of mitigation measures related to reducing potential impacts to trees, plants, wetlands, birds, and bats are found in Exhibit A, Condition No. 33 through Condition No. 53.

Issue #3: Best Management Practices

Consistent with water quality standards requirements, the applicant submitted with the application an Erosion Control Proposal, using the Caltrans Construction Site BMP's as a guide. The project's *Erosion Control Proposal* outlines the BMP's (Best Management Practices) to be implemented for the water storage tank installation site as follows to be implemented during the construction phase of the project in order to prevent sediment and other pollutants reaching surface waters or leaving the site in storm water runoff, to include, but not limited to, the following: grading to be scheduled during the dry season, indentifying on the grading plans and building permit plans staging areas for work vehicles that are setback and separated at minimum 50 feet from sensitive areas, and prior to construction activities train employees in procedures for cleaning up spills of hazardous materials, and erosion and sediment control techniques.

Erosion Control Proposal:

The BMP's at a minimum will be straw wattle placement at and above the one catchment area of drainage at the project site. The drainage trends in a northwest direction to a drainage inlet at the eastern side of Timber Ridge Road. Controlled concrete washout areas will be required to be installed and maintained to prevent overrun of concrete/cement products leaving the site of containment. Straw placement over denuded areas will be employed in the event of forecast rains greater than 0.5 inch over 24 hour period. Wood chips be placed in the area as a stabilizer over the flatter areas and placed in such a manner so as to not be carried from the site of placement during rain events. Rocked entry ways for construction traffic will be employed and maintained to minimize the tracking of soils off site.

The demobilization will include activities surrounding the protection of existing drainage runoff points, proper disposal of construction wastes, including concrete. The work site that remains will be landscaped with vegetation approved by The Sea Ranch Design Committee. Natural topsoil will be added to the worksite and natural indigenous tree duff will be placed in non hard surface travel ways. The plantings will be planted during the optimal season and the site will be maintained during that time (refer to Condition No. 40 through Condition No. 43).

Issue # 4: Geotechnical evaluation

The project site is not within the Alquist-Priolo Special Study zone (aka Earthquake Hazard Zone). A Geotechnical Exploration report was completed by ENGEO Incorporated, revised on November 22, 2011. ENGEO concludes that from a geotechnical standpoint the proposed Tank 8 site is geotechnically suitable provided that the recommendations included in their report are incorporated into the project design and implemented during construction. According to ENGEO the Alquist-Priolo Earthquake Fault zone is approximately 750 feet east of the tank site, and there are no active fault traces identified in the tank area. Consistent with the requirements in ENGEO's report, conditions of approval for the project require that all grading permit plans and all building permit plans for the water storage tank design and construction shall incorporate the recommendations in the Geotechnical Exploration Report prepared by ENGEO, Incorporated, dated August 14, 2008 and Revised November 22, 2011. This includes, but not limited to, foundation design, tank wall drainage, tank backfill placement, tank pad preparation, seismic design, grading, selection of materials, fill placement, pipeline design, and all utility trench backfill be done under the observation of a Geotechnical Engineer (refer to Condition No. 26).

Issue # 5: Aesthetics

The tank height is 35 feet and the site is east of Hwy 1. Under both the PF CC zone and RRD CC zone (LLA areas) zoning districts, it states:

*An increase in height for structures east of Highway 1 up to a maximum of thirty-five feet (35') may be considered if the appropriate review body finds that the structure is no higher than twenty-four feet (24') above the **corridor route** grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.*

For past projects, the "corridor route" has been interpreted to be Highway 1 and "directly across from the building site" has been interpreted to mean "adjacent to the highway" to apply to structures. In this instance, the project site is a quarter mile away from Highway 1 and will not block coastal views from Highway 1 or any nearby residents since it will be surrounded by existing trees and proposed trees under the Landscape Plan required as a mitigation measure.

On August 17, 2012, The Sea Ranch Design Committee provided a letter stating that the new tank site (Site 3, Tank 8) is outside of The Sea Ranch where the Design Review Committee ceases its jurisdiction. Therefore the Design Review Committee does not need to grant its approval, but The Sea Ranch Design Committee stated that they strongly support the mitigation measures outlined in the Biological Report by

WRA Environmental Consultants. In part, the mitigation measures include a Landscape Plan for the replanting of native species around the tank and disturbed areas.

The areas of ground disturbance around the tank will be covered in natural duff-type materials consistent with the surrounding environment and will be landscaped with native trees and shrubs appropriate for the site. Upon completion, necessary landscape maintenance and monitoring, as specified in the Landscape Plan, will be continued around the site as needed to ensure stability and success of all work and species introduced in the landscape (refer to Condition No. 39 through Condition No. 44).

Issue # 6: Draft Environmentally Sensitive Habitat Area (ESHA) Management Plan

Included as an attachment to the Mitigated Negative Declaration and this staff report is the Draft Environmentally Sensitive Habitat Area (ESHA) Management Plan prepared by WRA. The purpose of the ESHA Management Plan is to outline an approach to project construction within and adjacent to potential ESHAs at the site and to provide a plan for the restoration and management of impacted ESHAs. The ESHA Management plan includes the Forest Management Plan and preliminary landscape plan and incorporates the best management practices and mitigation measures required for the project in order to avoid or minimize impacts to potential ESHAs within the Project Area. It is in draft form at this stage of the project, whereas, mitigations require the final version be prepared prior to permits being issued or construction activities and incorporated into the overall project.

STAFF RECOMMENDATION

Approve the request for a Coastal Permit, Use Permit, and Lot Line Adjustment subject to the Conditions of Approval.

FINDINGS FOR RECOMMENDED ACTION

1. The project is found consistent with the Sonoma County General Plan land use designation of PQP (Public Quasi Public) and the Local Coastal Plan land use designation of "Institutional" because the new water storage tank will be part of the community water system serving existing connections for The Sea Ranch community. The project site also contains a telecommunication tower serving the area. In addition, the project is consistent with the PF (Public Facilities) CC zoning district of the Local Coastal Zoning Ordinance, whereas under Section 26C-182 (b) with a Coastal Permit approval "*Facilities for the production, generation, storage, or transmission of water by a special district*", and is found consistent with the RRD (Resource and Rural Development) CC zoning district under Section 26C-52 (c)-(9) with a Use Permit approval as : "*Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, and transformer stations*". Conditions of approval require that on the 1.5 acres of land adjusted from Lot A to Lot B that a General Plan Amendment be submitted to amend the RRD to the PQP land use designation, and a Zone Change to rezone the RRD CC zoning district to the PF CC zoning district in order to eliminate split zoning on the project site as a result of the Lot Line Adjustment.
2. The project, as described in the application and accompanying materials and as conditioned, is consistent with the Goals, Objectives and Policies of Sonoma County General Plan. In addition, the project, as described in the application and accompanying materials and as conditioned, conforms with the plans, policies, requirements and standards of the Sonoma County Local Coastal Program. In this specific case, the new water storage tank installation is necessary in order to adhere to the California Department of Public Health Title 22 hydraulic pipe pressure requirements, as well as resolve fire flow deficiencies of the existing water system for The Sea Ranch community. Water connections are not being added and the water system will remain under its current State permit. The improvements to The Sea Ranch water system will provide adequate fire protection and improve overall public health and safety for The Sea Ranch Community consistent with provisions of the General Plan, the Local Coastal Plan and the California Coastal Act.

3. Based upon the information contained in the Initial Study included in the project file, it has been determined that there will be no significant environmental effect resulting from this project, because mitigation measures have been incorporated into the project as Conditions of Approval. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines, and the information contained therein has been reviewed and considered.
4. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are: a) The new water storage tank installation is to resolve California Department of Public Health Title 22 hydraulic pipe pressure requirements as well as to address fire flow deficiencies within the existing water system for The Sea Ranch community. b) No new water connections are not being added and the system will remain under its current State permit. c) Applicable grading and building permits are required from PRMD to ensure the water storage tank is properly constructed under the California Uniform Building Code requirements. d) To ensure the project does not have any indirect impacts caused by construction activities and human intrusion into the habitat areas and to avoid disturbance of nesting birds or bats during construction activities, pre-construction surveys have been incorporated into the project. e) Areas of temporary disturbance shall be revegetated with native shrubs such as California huckleberry or redwood manzanita or other appropriate native vegetation to create a natural barrier between the area of permanent impacts and the surrounding habitat. f) Prior to issuance of any grading permit by PRMD for the temporary road construction, the Coast Lily individuals shall be transplanted on the project site away from the construction zone. The transplanting of the Coast Lily individuals shall be done in the fall and shall be conducted by a qualified biologist using established protocol. g) Prior to issuance of any grading or building permit, a Forest Management and Monitoring Plan shall be developed by a qualified biologist and submitted to the Project Planner at PRMD, in order to mitigate for removal of Northern Bishop Pine within the potential Northern Bishop Pine Forest ESHA. h) Prior to final issuance of the building permit, new native landscaping will be installed in accordance with the Landscape Plan prepared by WRA, the project biologist. i) The new road will be improved with permeable rock surface, not paved. j) Best Management Practices (BMPs) will be implemented during the construction phase of the project in order to prevent sediment and other pollutants reaching surface waters or leaving the site in storm water runoff, to include, but not limited to: grading to be scheduled during the dry season, designated staging areas for work vehicles that are setback and separated at minimum 50 feet from sensitive areas, prior to construction activities train employees in procedures for cleaning up spills of hazardous materials, along with erosion and sediment control technique training. k) The project site is not within the Alquist-Priolo Special Study zone and the Geotechnical Exploration concludes that from a geotechnical standpoint the proposed tank site geotechnically suitable provided that the recommendations included in their report are incorporated into the project design and implemented during construction. l) The California Coastal Commission in Santa Cruz, determined that the replacement of the existing water lines qualifies for an exclusion from coastal permitting requirements under the Commission's 1978 "Repair, Maintenance, and Utility Hook-Up Exclusions from Permit Requirement".

LIST OF ATTACHMENTS

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| EXHIBIT A: | Draft Conditions of Approval |
| EXHIBIT B: | Coastal Permit and Use Permit Application |
| EXHIBIT C: | Lot Line Adjustment Application |
| EXHIBIT D: | Aerial Map |
| EXHIBIT E: | Letters (2) from the California Department of Health Services- Drinking Water Branch, dated August 2005 and January 2008. |
| EXHIBIT F: | Lot Line Adjustment Site Plan |
| EXHIBIT G: | Site Plan with Revised Road Alignment |

EXHIBIT H: Draft Endangered Species Management Plan

EXHIBIT I: Preliminary Landscape Plan

EXHIBIT J: Draft Resolution

Separate Attachment for Commissioners: Mitigated Negative Declaration