



Planning Director Staff Report – Hearing on June 30, 2021

County of Ventura • Resource Management Agency • Planning Division
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CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 7 WILLOW CREEK BRIDGE WIDENING PROJECT COASTAL PLANNED DEVELOPMENT (PD) PERMIT CASE NO. PL20-0134

A. PROJECT INFORMATION

1. **Request:** The applicant requests a Coastal Planned Development (PD) Permit be granted to authorize the widening and installation of new railings for an existing State Highway 1 bridge that spans Willow Creek. Case No. PL20-0134.
2. **Applicant/Property Owner:** California Department of Transportation (CALTRANS)
3. **Applicant's Representative:** Nick Pisano, CALTRANS District 7, 100 South Main Street, MS-016A, Los Angeles, CA 90012
4. **Decision-Making Authority:** Pursuant to the Ventura County CZO (Section 8174-5 and Section 8181-3 et seq.), the Planning Director is the decision-maker for the requested Coastal PD Permit.
5. **Project Site Size, Location, and Parcel Number:** The project site is located at Ventura County post mile 28.2, within the right-of-way of Old Pacific Coast Highway (State Route (SR) 1), approximately 8,000 feet east of the community of Mussel Shoals, in the unincorporated area of Ventura County. The project site is located immediately southwest of APN 060-0-100-420..
6. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Open Space
 - b. Coastal Area Plan Land Use Map Designation: Agriculture
 - c. Zoning Designation: COS-10 ac-sdf (Coastal Open Space, 10-acre minimum lot size).

7. Adjacent Zoning and Land Uses/Development (Exhibit 2):

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	COS-10 ac (Coastal Open Space, 10-acre minimum lot size). CM-10 (Coastal Manufacturing) OS-160ac (Open Space)	Open Space, oil and gas development, Union Pacific railroad
East		
South	COS-10 ac-sdf (Coastal Open Space, 10-acre minimum lot size)	COS-10 Open Space (U.S. Highway 101)
West		

- 8. History:** The section of SR 1 proposed to be upgraded was constructed in 1927 and widened in 1936, prior to the construction of the adjacent U.S. 101 freeway in the 1950s. The bridge is 61 feet long by 53 feet wide with one 12-foot lane in each direction, a 12-foot-wide paved median, a seven foot paved shoulder on the south side, and an eight foot paved shoulder on the south side.
- 9. Project Description:** The applicant requests a Coastal Planned Development (PD) Permit be granted to widen Bridge No. 52-0003 (“Willow Creek Bridge”) on SR 1 that spans Willow Creek, and upgrade of the railing to meet current bridge rail standards.

The Willow Creek Bridge is located at Ventura County post mile 28.2. The northbound (railroad side) roadway shoulder will be widened by four feet for a length of 100 feet to accommodate a standard eight foot shoulder. The south side (beach side) of the bridge deck will be widened by one to one and a half feet. There will be no excavation on the bridge abutments. The existing wooden beam guardrails will be replaced with metal beam guardrails. A new end line terminal system will be attached to the new bridge railing. Two utility pipelines, a Southern California Gas Company (SoCal Gas) natural gas pipeline and a sewer main operated by the Ventura County Public Works Agency, would be relocated as part of the bridge upgrade work. Relocation of the SoCal Gas three inch gas line in a six inch casing would be relocated from the north side to the south side. Relocation of the existing Ventura County Public Works Agency sewer forced main on the wooden bridge railing on the south side will be adjacent to the gas line and supported by a proposed cantilever beam. All work will be accomplished within the existing public road right-of-way. Following construction, the roadway will be restriped, including Class II bike lanes designated on the road shoulders on each side of the bridge.

Temporary traffic control will divert motorists and bicyclists onto the center of the roadway. A temporary water diversion plan shall be developed and implemented to de-water the construction zone in consultation with National Oceanic and Atmospheric Administration (NOAA), California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), Army Corps of

Engineers (ACOE), and the Los Angeles Regional Water Quality Control Board (RWQCB). The water diversion plan includes corrugated steel pipes of an appropriate size installed in each side of the bridge extended five feet under the bridge and five feet outside of the bridge. For the water to be diverted under the bridge the voids between the temporary drainage pipes will be filled with sandbags. Plywood would be placed on top of the of the pipes and extend to the abutments of the structure to create a work platform during construction. The plywood platforms will temporarily impact approximately 1,200 square feet (0.02 acre) of creek bed. The temporary placement of the construction platform in the creek bed will not result in the removal of any trees. Areas disturbed by the temporary construction area will be restored at a 2:1 mitigation to impact ratio with seeds and native plant materials (willow cuttings) as determined by CALTRANS District Biologist and California Department of Fish and Wildlife Specialists. No access roads are located on the sides of the bridge; all equipment and materials for work under the bridge will be lowered from above the bridge.

Construction limits will be marked in the field and indicated by flagging, stakes, and construction fencing. CALTRANS will properly maintain, remove from the work site, and dispose of regularly all trash that may attract wildlife and will remove all construction debris from work areas following construction.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the proposed project is subject to environmental review.

On August 8, 2019, CALTRANS adopted a Mitigated Negative Declaration (MND) for the State Route (SR) SR 1 and SR 33 Bridge Rail Upgrades. The MND included three projects, the North Fork Matilija Creek Bridge (SR 33, Post Mile 16.13, Bridge No. 52-0173), the North Fork Matilija Creek Bridge (SR 33, Post Mile 15.82, Bridge No. 52-0044) and the Willow Creek. The MND concluded that with the implementation of feasible mitigation measures, potentially significant project specific adverse impacts on biological resources can be mitigated to a less than significant level. In addition, the proposed project would have less than significant effects on aesthetics, geology and soils, hazards and hazardous materials, hydrology and water quality, and transportation/traffic. The proposed project would have no effect on cultural resources, land use and planning, mineral resources, noise, population and housing, public services, tribal cultural resources, and utilities and service systems.

The potentially significant impacts identified in the 2019 MND apply largely to the two bridge projects located along SR 33. These projects involved construction adjacent to the critical steelhead habitat along Matilija Creek. An Initial Study Biological Assessment dated May 4, 2021, (Exhibit 7) lists the avoidance and minimization measures to be implemented during the proposed construction activities.

The State CEQA Guidelines [§15164(b)] state that the lead agency shall prepare an addendum to an adopted MND if (1) minor changes or additions are necessary, but (2) none of the conditions described in the State CEQA Guidelines (§15162) calling for the preparation of a subsequent MND have occurred. The Addendum to the MND (Exhibit 6) includes a description of the changes or additions that are necessary to the MND and a discussion of why none of the conditions described in the State CEQA Guidelines exist, which require the preparation of an EIR or subsequent MND.

Based on the information provided above and in light of the whole record, staff recommends that the decision-maker find there is no substantial evidence to warrant the preparation of an EIR or subsequent MND and the Addendum to the MND (Exhibit 6) reflects the County's independent judgment and analysis.

C. CONSISTENCY WITH THE GENERAL PLAN

The 2040 Ventura County General Plan *Goals, Policies and Programs* (2020, page 1-1) states:

All area plans, specific plans subdivision, public works projects, and zoning decisions must be consistent with the direction provided in the County's General Plan.

Furthermore, the Ventura County NCZO (§ 8111-1.2.1.1.a) states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County General Plan.

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan *Goals, Policies and Programs*.

Land Use and Community Character

- 1. Coastal Area Plan North Coast Area Policy 1:** *All zoning and development shall be in conformance with the Land Use Plan map (Figure 3-2), which has been designed to reflect these goals and policies. The Zoning Compatibility Matrix (Figure 3-1) indicates the zones which are consistent with the various land use categories.*

The project site is located within the Coastal Area Plan-North Coast Area with the Open Space General Plan land use designation, a Coastal Area Plan land use designation of Agricultural, and Coastal Open Space (COS) zone. The proposed project is the widening of the Willow Creek Bridge and upgrades to the railings. The proposed upgrades of this section of SR 1 is compatible with the Open Space land use designation and COS zone.

Based in the discussion above, the proposed project is consistent with Coastal Area Plan North Coast Area Policy 1.

General Plan Policy LU-9.1 (Areas Appropriate for the Open Space Land Use Designation): *The County shall ensure that the Open Space land use designation includes areas of land or water that are set aside for the preservation of natural resources, including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, wetlands, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and important watershed lands.*

General Plan Policy LU16.1 (Community Character and Quality of Life): *The County shall encourage discretionary development to be designed to maintain the distinctive character of the unincorporated communities, to ensure adequate provision of public facilities and services, and to be compatible with neighboring uses.*

General Plan Policy LU16.10 (Visual Access for Rural Development): *The County shall encourage discretionary development in rural areas to maintain mountain views of hillsides, beaches, forests, creeks, and other distinctive natural areas through building orientation, height, and bulk.*

General Plan Policy LU-19.4 (Consultation with State and Federal Agencies): *The County shall continue to consult with applicable State and Federal regulatory agencies during project review and permitting activities.*

Coastal Act § 30250 Location; Existing Developed Area (a): *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

The proposed Willow Creek Bridge widening and upgrades to the railings is located on SR 1. This section of SR 1 provides access to motorists and bicyclists going to the Punta Gorda parking lot which provides the public beach access. The Pacific Ocean is located approximately 500 feet to the west. US 101 and Union Pacific Railroad are also located to the west and block views of the project site. The Dos Cuadros offshore drilling oil fields and associated infrastructure is located to the east of the project site.

The proposed Willow Creek Bridge Widening project will be constructed on a state highway in accordance with State of California Department of Transportation road standards. Except for temporary construction area signs, no signage is proposed. The proposed project does not include the construction of buildings/structures or lighting. Therefore, there will be no significant degradation of visual resources or alteration of visual resources as viewed from public observation points.

On June 1, 2021, the Planning Division notified the California Coastal Commission, the California Department of Fish and Wildlife, The U.S. Army Corps of Engineers, and the Los Angeles Regional Water Quality Control Board regarding the proposed project. Prior to construction, CALTRANS is required to provide evidence federal and state permits have been obtained (Exhibit 4, Condition No. 8).

Based on the discussion above, the proposed project is consistent with General Plan Policies LU-9.1, LU-16.1, LU-16.10, LU-19.4, and Coastal Act Section 30250(a).

Public Facilities, Services and Infrastructure

- 2. General Plan Policy PFS-12.3 (Adequate Water Supply, Access, and Response Times for Firefighting Purposes).** *The County shall prohibit discretionary development in areas that lack and cannot provide adequate water supplies, access, and response times for firefighting purposes.*

The project involves minor improvement to an existing public roadway and bridge. No new fire or increased hazard would result from project implementation. The components of the project (the bridge deck, new roadway shoulder pavement and the bridge railings) will not be flammable and require fire suppression services. Fire Station 25 addressed as 5674 West Pacific Coast Highway is less than a mile from the project site.

Based on the above discussion, the proposed project is consistent with General Plan Policy PFS-12.3.

General Plan Policy PFS-7.4 (Discretionary Development Utility Service Line Placement): *The County shall require discretionary development to place new utility service lines underground if feasible. If undergrounding is determined by the County to be infeasible, then new utility service lines shall be placed in parallel to existing utility rights-of-way, if they exist, or sited to minimize their visual impact.*

Coastal Area Plan North Coast Public Works Policy 1. *New or expanded public works facilities (including roads, flood control measures, water and sanitation) will be designed to serve the potential population within the subarea's*

boundaries, and to mitigate impacts on agricultural, open space lands, or environmentally sensitive habitats.

CALTRANS proposes to widen the Willow Creek Bridge and upgrade the non-standard timber bridge railing to meet the current bridge rail standards. There will be no excavation of the bridge abutments. All traffic lanes will be restriped, and the Class II bike lanes will be maintained within the shoulders on each side of the bridge following construction. The project includes the relocation of a Southern California Gas Company three-inch gas line in a six-inch casing and Ventura County Public Works sewer force main. The gas and sewer lines will be moved temporarily to the northbound side of the bridge. The south side of the bridge will be widened and a support system for the sewer and gas lines will be placed on the southbound side. The gas and sewer lines will be supported by a steel flange beam attached to the bottom of the bridge. The steel beam will extend three feet eight inches from the south deck. All work will be conducted from the CALTRANS right-of-way.

Based on the discussion above, the proposed project is consistent with General Plan Public Facilities, Services, and Infrastructure Policy PFS-7.4. Coastal Area Plan North Coast Public Works Policy 1.

Conservation and Open Space

- 3. General Plan Policy COS-1.1 (Protection of Sensitive Biological Resources):** *The County shall ensure that discretionary development that could potentially impact sensitive biological resources be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures that fully account for the impacted resource. When feasible, mitigation measures should adhere to the following priority: avoid impacts, minimize impacts, and compensate for impacts. If the impacts cannot be reduced to a less than significant level, findings of overriding considerations must be made by the decision-making body.*

General Plan Policy COS-1.4 (Consideration of Impacts to Wildlife Movement): *When considering proposed discretionary development, County decision-makers shall consider the development's potential project-specific and cumulative impacts on the movement of wildlife at a range of spatial scales including local scales (e.g., hundreds of feet) and regional scales (e.g., tens of miles).*

General Plan Policy COS-1.8 (Bridge Crossing Design). *The County shall require discretionary development that includes new or modified road crossings over streams, wetlands and riparian habitats to include bridging design features with bridge columns located outside the riparian habitat areas, when feasible.*

General Plan Policy COS-1.9 (Agency Consultation Regarding Biological Resources): *The County shall consult with the California Department of Fish and Wildlife, the Regional Water Quality Control Board, the U.S. Fish and Wildlife Service, National Audubon Society, California Native Plant Society, National Park Service for development in the Santa Monica Mountains or Oak Park Area, and other resource management agencies, as applicable during the review of discretionary development applications to ensure that impacts to biological resources, including rare, threatened, or endangered species, are avoided or minimized.*

General Plan Policy COS-1.10 (Evaluation of Potential Impacts of Discretionary Development on Wetlands). *The County shall require discretionary development that is proposed to be located within 300 feet of a wetland to be evaluated by a County-approved biologist for potential impacts on the wetland and its associated habitats pursuant to the applicable provisions of the County's Initial Study Assessment Guidelines.*

General Plan Policy COS-1.11 (Discretionary Development Sited Near Wetlands). *The County shall require discretionary development to be sited 100 feet from wetland habitats, except as provided below. The 100-foot setback may be increased or decreased based upon an evaluation and recommendation by a qualified biologist and approval by the decision-making body based on factors that include, but may not be limited to, soil type, slope stability, drainage patterns, the potential for discharges that may impair water quality, presence or absence of endangered, threatened or rare plants or animals, direct and indirect effects to wildlife movement, and compatibility of the proposed development with use of the wetland habitat area by wildlife. Discretionary development that would have a significant impact on a wetland habitat shall be prohibited unless mitigation measures are approved that would reduce the impact to a less than significant level. Notwithstanding the foregoing, discretionary development that would have a significant impact on a wetland habitat on land within a designated Existing community may be approved in conjunction with the adoption of a statement of overriding considerations by the decision-making body. (RDR)*

Coastal Act Section 30231: *"The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference of ground water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams."*

Coastal Act Section 30240:

- a) *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*
- b) *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas.*

Coastal Area Plan North Coast Environmentally Sensitive Habitats (ESHA) Tidepools and Beaches Policy 1. *Placement of any fill or dredged material along the North Coast beach intertidal area shall be carried out in consultation with the State Department of Fish and Game, in order to ensure that the timing and location of such activities does not disrupt the life cycles of intertidal or sandy beach species.*

Coastal Area Plan North Coast Environmentally Sensitive Habitats (ESHA) Creek Corridors Policy 1. *All projects on land either in a stream or creek corridor or within 100 feet of such corridor (buffer area), shall be sited and designed to prevent impacts which would significantly degrade riparian habitats, and shall be compatible with the continuance of such habitats.*

Coastal Area Plan North Coast Environmentally Sensitive Habitats (ESHA) Creek Corridors Policy 2. *Substantial alterations (channelizations, dams, etc.) to river, stream, or creek corridors are limited to:*

- a. *necessary water supply projects;*
- b. *flood control projects where no other method for protecting existing structures in the flood plan is feasible, and where such protection is necessary for public safety or to protect existing development; or*
- c. *developments where the primary function is the improvement of fish and wildlife habitat.*

Coastal Area Plan North Coast Environmentally Sensitive Habitats (ESHA) Creek Corridors Policy 3. *Projects allowed per the above policies will incorporate the best mitigation measures feasible.*

An ISBA (dated May 4, 2021) was prepared by Paul Caron and Patrick Thompson, biologists with the State of California Department of Transportation (Exhibit 7). Habitat assessments began on November 30, 2017 with additional surveys conducted between 2017 and 2021. The biological study area extended roughly 250 feet and included riparian and upland habitat.

Willow/Los Sauces Creek is considered a coastal wetland and is within environmentally sensitive habitat (ESHA). The creek runs beneath the bridge; vegetation onsite includes willow (*Salix sp.*), giant reed (*Arundo donax*), poison oak (*Toxicodendron diversilobum*) and horsetail (*Equisetum sp.*). Emergent vegetation consists of cattails (*Typha sp.*), castor bean (*Ricinus communis*), and watercress (*Nasturtium officinale*). Upstream of the project is a 10-foot by 10-foot concrete lined channel that runs through the industrial lots for an approximate 1,200 feet northeast of the project location and lacks riparian vegetation. The creek pools 40 feet between the end of the industrial channel and the Union Pacific Railroad crossing and again for 30 feet to SR 1 Bridge No. 52-003. The creek then flows through natural boundaries to the culvert beneath US 101 before draining to the ocean. Most of the area is heavily disturbed. Minimal vegetation removal will be required for work to occur within the project area. No tree removal is proposed. No sensitive or listed plant species are within the project boundaries. The project site was surveyed for southern tar plant (*Centromadia parryi australis*) and woolly seabite (*Suaeda taxifolia*), species found in saltmarshes, wetland and chaparral and none were observed within the limits of proposed construction.

The Union Pacific Railroad and US 101 freeway act as a potential wildlife barrier to the project site. The majority of the oil fields are fenced, impeding access to larger terrestrial wildlife. The culvert that runs under US 101 where Willow/Los Sauces Creek feeds into has an elevation change to the Pacific Ocean with negligible probability of aquatic species entering the creek. Wildlife that was identified were California towhee (*Melospiza crissalis*), house finch (*Haemorhous mexicanus*), and house sparrow (*Passer domesticus*). Suitable habitat for southwestern willow flycatcher (SWWF) and California red-legged frog (CRLF) were found to be low quality. Protocol surveys were conducted in 2017 and no SWWF were found. CALTRANS will conduct pre-construction surveys if work is conducted during nesting season (February 1st through September 1st). Any sighting of a SWWF in the construction limits or directly adjacent will require CALTRANS to notify the USFWS for additional guidance. If SWWF nests are found within 500 feet of the construction site, work will stop until the nesting has been completed and the birds have left the area (Exhibit 4, Condition No. 16). The only pool of water sufficient for CRLF breeding was at the US 101 culverts, which likely had high salinity from frequent ocean wave over-wash. The project will have no effect to CRLF as the project location lacks the primary constituent elements needed for this species to thrive. Although the project location is near the Pacific Ocean, the project activities will be far enough away from any essential fish habitat. Construction personnel will be instructed on the ecological sensitivity of the area.

Construction of the proposed project will temporarily impact 0.02 acres (1,200 square feet) of the creek for the placement of a temporary water diversion system. There will be no excavation on the bridge abutments. No permanent impacts to wetlands would result from the proposed project. The water diversion

will be installed using corrugated metal pipes installed on each side of the bridge extended five feet under the bridge and five feet under the southbound side of the bridge. Plywood would be placed on top of the pipes that will extend to the abutments to create a work platform during construction. Construction crews will access the creek and work on top of the platform to build the falsework for the new deck slab and the new bridge rail barriers. All equipment and materials will be lowered from above the bridge. All work within the creek will occur during the dry season (June 1st through November 1st).

Prior to construction, CALTRANS is required to provide evidence federal and state permits have been obtained (Exhibit 4, Condition No. 8). The proposed project will be subject to a condition of approval to require the Applicant to conduct pre-construction surveys (Exhibit 4, Condition No. 18). A weed abatement program will be developed to minimize the importation of non-native plant material during and after construction (Exhibit 4, Condition No. 20).

Based on the discussion above, the proposed project is consistent with General Plan Conservation and Open Space Policies COS-1.1, COS-1.4, COS-1.8, COS-1.9, COS-1.10, COS-1.11, Coastal Act Sections 30231 and 30240, Coastal Area Plan North Coast Environmentally Sensitive Habitats (ESHA) Tidepools and Beaches Policy 1, and Coastal Area Plan North Coast Environmentally Sensitive Habitats (ESHA) Creek Corridors Policies 1, 2 and 3.

4. **General Plan Policy COS-3.1 Scenic Roadways:** *The County shall protect the visual character of scenic resources visible from State or County designated scenic roadways.*

General Plan Policy COS-3.6 Open Space Character. *The County shall require discretionary development outside of Existing Communities be planned and designed to maintain the scenic open space character of the surrounding area, including view corridors from highways. Discretionary development should integrate design, construction, and maintenance techniques that minimize the visibility of structures from public viewing locations within scenic vistas.*

Coastal Act Section 30251: *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding area and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The proposed Willow Creek Bridge widening and upgrades to the railings is located on SR 1. The Pacific Ocean is located approximately 500 feet to the west. US 101 and Union Pacific Railroad are also located to the west and block views of the project site. The Dos Cuadros offshore drilling oil fields and associated infrastructure is located to the east of the project site.

CALTRANS proposes to widen the northbound shoulder by four feet for 100-feet before and after the bridge in order to accommodate a standard eight-foot shoulder through the bridge. CALTRANS will also upgrade the non-standard timber bridge railing to meet current bridge rail standards. The bridge upgrades will not change the character of the surrounding area. Temporary construction activities will not alter natural landforms and disturbed areas will be restored at a 2:1 mitigation to impact ratio using native plants (willow cuttings) and seed.

Based on the discussion above, the proposed project is consistent with General Plan Conservation and Open Space Policies COS-3.1 and 3.6, and Coastal Act Sections 30251.

5. **General Plan Policy COS-4.2(b) (Cooperation for Tribal Cultural Resource Preservation):** *For discretionary projects, the County shall request local tribes contact information from Native American Heritage Commission, to identify known tribal cultural resources. If requested by one or more of the identified local tribes, the County shall engage in consultation with each local tribe to preserve, and determine appropriate handling of, identified resources within the county.*

General Plan Policy COS-4.4 (Discretionary Development and Tribal, Cultural, Historical, Paleontological, and Archaeological Resource Preservation): *The County shall require that all discretionary development projects be assessed for potential tribal, cultural, historical, paleontological, and archaeological resources by a qualified professional and shall be designed to protect existing resources. Whenever possible, significant impacts shall be reduced to a less-than-significant level through the application of mitigation and/or extraction of maximum recoverable data. Priority shall be given to measures that avoid resources.*

Coastal Act Section 30244: *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Coastal Area Plan Archaeological Resource Policy 1: *New development shall be sited and designed to avoid adverse impacts to archaeological resources to the maximum extent feasible. If there is no feasible alternative that can eliminate all impacts to archaeological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to archaeological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to archaeological resources cannot*

be avoided, mitigation shall be required and shall be designed in accordance with established federal, state and/or County standards and shall be consistent with the policies and provisions of the LCP.

Coastal Area Plan Paleontology Policy 2: *New development shall be sited and designed to avoid adverse impacts to paleontological resources to the maximum extent feasible. If there is no feasible alternative that can eliminate all impacts to paleontological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to paleontological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to paleontological resources cannot be avoided, mitigation shall be required that includes procedures for monitoring grading and handling fossil discoveries that may occur during development.*

The proposed project does not involve any grading outside of the public road right-of-way or any grading in the creek bed. No activities will take place that could impact subsurface resources that might exist onsite. As discussed in Section 2.5 Cultural Resources of the MND (Exhibit 5), an Archaeological Survey Report (2018) determined no cultural resources were found. Diana Valadez, archaeologist, and CALTRANS cultural resources specialist has reviewed the proposed project and determined a finding of no historic properties. Furthermore, pursuant to PRC Section 21080.3.1 et seq., on February 12, 2018, an inquiry for cultural resources including Sacred Lands File search was sent to the Native American Heritage Commission. On February 27, 2018 a response from Frank Lienert was received indicating negative results for Sacred Lands File. Additionally, the Native American Heritage Commission recommended contacting six Native American groups/individuals which may have knowledge or cultural resources. On March 8, 2018 letters detailing the project location were mailed to Julie Tumamait-Stenslie (Chairperson of Barbero/Ventureno Band of Mission Indians), Mia Lopez (Coastal Band of the Chumash Nation), Raudel Joe Bunuelos Jr (Barbareno/Ventureno Band of Mission Indians), Eleanor Arrellanes (Barbareno/Ventureno Band of Mission Indians), Patrick Tumamait (Barbareno/Ventureno Band of Mission Indians) and Kenneth Kahn (Chairperson, Santa Ynez Band of Chumash Indians). No comments were received as a result of the AB 52 request.

The project site is underlain by artificial fill and the Pico Formation, sandstone and conglomerate (TpSC) which has a moderate to high paleontological importance. No work is proposed for the bridge abutments, therefore, no impacts to paleontological resources would occur.

Although the proposed project is unlikely to result in impacts to archaeological resources, future ground disturbance activities will be subject to conditions of approval to ensure the protection of any archaeological and paleontological

subsurface resources, if they are inadvertently encountered during ground disturbance activities (Exhibit 4, Condition Nos. 18 and 19).

Based on the discussion above, the proposed project is consistent with General Plan Conservation and Open Space Policies COS-4.2(b), COS-4.4, Coastal Act Section 30244, Coastal Area Plan Archaeology Policy 1, and Coastal Area Plan South Paleontology Policy 1.

Hazard and Safety Element

- 6. General Plan Policy HAZ-4.5 (Soil Erosion and Pollution Prevention):** *The County shall require discretionary development be designed to prevent soil erosion and downstream sedimentation and pollution.*

General Plan Policy HAZ-4.6 (Vegetative Resource Protection): *The County shall require discretionary development to minimize the removal of vegetation to protect against soil erosion, rockslides, and landslides.*

General Plan Policy HAZ-4.7 (Temporary Revegetation on Graded Areas): *The County shall require, as necessary, the use of soil stabilization methods on graded areas to reduce the potential for erosion, particularly during the construction phase.*

Coastal Act Section 30253: *New development shall:*

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazards.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Coastal Area Plan North Coast Hazards Policy 2. New development shall be sited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.

Coastal Area Plan North Coast Hazards Policy 6. New development shall be sited and designed so as not to cause or contribute to flood hazards or lead to the expenditure of public funds for flood control works.

A temporary water diversion plan shall be developed and implemented to de-water the construction zone in consultation with National Oceanic and Atmospheric Administration (NOAA), California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), Army Corps of Engineers (ACOE), and the Los Angeles Regional Water Quality Control Board (RWQCB). Plywood platforms beneath the bridge will temporarily impact

approximately 1,200 square feet (0.02 acre) of creek bed. The temporary placement of the construction platform in the creek bed will not result in the removal of any trees. Areas disturbed by the temporary construction area will be restored at a 2:1 mitigation to impact ratio with seeds and native plant materials (willow cuttings) as determined by CALTRANS District Biologist and California Department of Fish and Wildlife Specialists.

All work will take place during the dry season (June 1st through November 1st). The contractor will comply with CALTRANS and CDFW manuals for deployment of sediment control devices. Typical sediment control devices include siltation curtains, sandbags, hay bales, filter fabric and fiber rolls. All applicable Construction Best Management Practices for water quality shall be implemented to minimize project impacts to jurisdictional waters (Exhibit 4, Condition Nos. 15 and 20).

Based on the discussion above, the proposed project is consistent with General Plan Conservation and Open Space Policies HAZ-4.5, HAZ-4.6, HAZ-4.7, Coastal Act Section 30253, Coastal Area Plan North Coast Hazards Policies 2 and 6.

- 7. General Plan Policy HAZ-10.2 (Air Quality Management Plan Consistency):** *The County shall prohibit discretionary development that is inconsistent with the most recent adopted Air Quality Management Plan (AQMP), unless the Board of Supervisors adopts a statement of overriding considerations.*

General Plan Policy HAZ-10.3 (Air Pollution Control District Rule and Permit Compliance): *The County shall ensure that discretionary development subject to Ventura County Air Pollution Control District (VCAPCD) permit authority complies with all applicable APCD rules and permit requirements, including the use of Best Available Control Technology (BACT) as determined by the VCAPCD.*

General Plan Policy HAZ-10.14 (Fugitive Dust Best Management Practices): *The County shall ensure that discretionary development which will generate fugitive dust emissions during construction activities will, to the extent feasible, incorporate appropriate BMPs to reduce emissions to be less than applicable thresholds.*

The proposed project's air quality impact will be below the 25 pounds per day threshold for reactive organic compounds and oxides of nitrogen as described in the Ventura County Air Quality Assessment Guidelines. Although the proposed project is not expected to result in any significant local air quality impacts, the VCAPCD has recommended conditions of approval to ensure fugitive dust, particulate matter and construction equipment emission are minimized (Exhibit 4, Condition Nos. 24 and 25).

Based on the discussion above, the proposed project is consistent with General Plan Policies Hazards and Safety Element Policies HAZ-10.2, HAZ-10.3 and HAZ-10.14.

Water Resources

- 8. General Plan Policy WR-1.2 (Watershed Planning):** *The County shall consider the location of a discretionary project within a watershed to determine whether or not it could negatively impact a water source. As part of discretionary project review, the County shall also consider local watershed management plans when considering land use development.*

General Plan Policy WR-1.12 (Water Quality Protection for Discretionary Development): *The County shall evaluate the potential for discretionary development to cause deposition and discharge of sediment, debris, waste and other pollutants into surface runoff, drainage systems, surface water bodies, and groundwater. The County shall require discretionary development to minimize potential deposition and discharge through point source controls, storm water treatment, runoff reduction measures, best management practices, and low impact development.*

General Plan Policy WR-2.2 (Water Quality Protection for Discretionary Development): *The County shall evaluate the potential for discretionary development to cause deposition and discharge of sediment, debris, waste, and other contaminants into surface runoff, drainage systems, surface water bodies, and groundwater. In addition, the County shall evaluate the potential for discretionary development to limit or otherwise impair later reuse or reclamation of wastewater or stormwater. The County shall require discretionary development to minimize potential deposition and discharge through point source controls, storm water treatment, runoff reduction measures, best management practices, and low impact development.*

All work will be conducted during the dry season (June 1st through November 1st). All applicable Construction Best Management Practices for water quality will be implemented to minimize project impacts to jurisdictional waters. Typical sediment control devices include siltation curtains, sandbags, haybales, filter fabrics, and fiber rolls. Any heavy equipment used in the project area will be removed at the end of each workday. All heavy equipment will be checked for oil leaks, gas, hydraulic fluids and any other pollutant that could impact water quality (Exhibit 4, Condition No. 20).

Based on the discussion above, the proposed project is consistent with General Plan Water Resources Policies WR-1.2, WR-1.12, and WR-2.2.

D. ZONING ORDINANCE COMPLIANCE

The proposed project is subject to the requirements of the Ventura County CZO.

Pursuant to the requirements of the Ventura County CZO (Section 8174-4), the proposed maintenance and repair work on the Willow Creek bridge is allowed in the Coastal Open Space district with the granting of a Coastal PD Permit. Upon the granting of the Coastal PD Permit, the Permittee (CALTRANS) will be in compliance with the requirements of the Ventura County CZO.

E. PD FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to determine that the proposed project is consistent with the permit approval standards of the Ventura County CZO (Section 8181-3.5 et seq.). The proposed findings and supporting evidence are as follows:

1. The proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program [Section 8181-3.5.a].

Based on the information and analysis presented in Sections C and D of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program can be made.

2. The proposed development is compatible with the character of surrounding development [Section 8181-3.5.b].

The proposed improvements to the Willow Creek bridge and adjacent segments of SR 1 will not substantially change the character of the area or adversely affect any nearby development.

Based on the discussion above, this finding can be made.

3. The proposed development, if a conditionally permitted use, is compatible with planned land uses in the general area where the development is to be located [Section 8181-3.5.c].

The proposed road improvement work does not require a Conditional Use Permit. Thus, this finding does not apply to the proposed project.

4. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8181-3.5.d].

No adverse effect on neighboring properties or ongoing uses has been identified that would result from the proposed project. Implementation of the conditions of approval (Exhibit 4) will ensure the compatibility of the project with the ongoing uses in the vicinity.

Based on the discussion above, this finding can be made.

5. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8181-3.5.e].

No adverse effect of the proposed project on the environment or the use of the adjacent properties has been identified. Similarly, no effect of the project has been identified that would be detrimental to the public interest, health, safety or welfare. The proposed bridge improvements would, in fact, enhance public safety.

Based on the discussion above, this finding can be made.

F. PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), CZO (Section 8181-6.2 et seq.). On June 16, 2021, the Planning Division mailed notice to owners of property within 300 feet and residents within 100 feet of the property on which the project site is located. On June 20, 2021, the Planning Division placed a legal ad in the *Ventura County Star*. As of the date of this document, no public comments have been received.

G. RECOMMENDED ACTIONS

Based upon the analysis and information provided above, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto and has considered all comments received during the public comment process;
2. **FIND** that the MND (Exhibit 5) as augmented by the MND Addendum (Exhibit 6) constitutes adequate environmental review of the proposed project in accordance with the CEQA Guidelines.
3. **MAKE** the required findings to grant a Planned Development Permit (PD) pursuant to Section 8181-3.5 of the Ventura County CZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** PD No. PL20-0134, subject to the conditions of approval (Exhibit 4).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

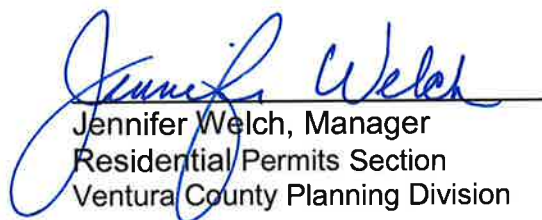
If you have any questions concerning the information presented above, please contact Noe Torres at (805) 654-3635 or Noe.Torres@ventura.org, or Jennifer Welch at (805) 654-2465 or Jennifer.welch@ventura.org.

Prepared by:

Reviewed by:



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Jennifer Welch, Manager
Residential Permits Section
Ventura County Planning Division

EXHIBITS:

- Exhibit 2 Land Use Maps
- Exhibit 3 Project Plans
- Exhibit 4 Conditions of Approval
- Exhibit 5 2019 Adopted MND
- Exhibit 6 MND Addendum
- Exhibit 7 Initial Study Biological Assessment (May 4, 2021)