



MEMORANDUM

Date: October 20, 2023~~16~~

To: Dave Ward, Planning Director
Planning Director Hearing of October 20, 2023

From: Jennifer Welch, Manager
Residential Permit Section
Noe Torres, Case Planner
Ventura County Planning Division

Subject: Errata memo
Caltrans – Emma Wood Overhead Bridge Replacement Project
Case No. PL22-0114

The Planning Director staff report was made available to the public October 20, 2023. Since that time, staff identified two errors. Corrections are made in legislative format, new information is underlined and omitted/corrected information, with a ~~strike~~ out.

Corrections:

1. Ventura County Coastal Zoning Ordinance Section 8181-3.5.3 Additional Findings for Development in ESHA or Buffer Zone was not included.

While these findings are aimed to protect ESHA in the Santa Monica Mountains, the proposed project will impact ESHA and therefore these findings are being included in staff's recommendation.

G. ADDITIONAL FINDINGS FOR DEVELOPMENT IN ESHA OR BUFFER ZONE

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 8181-3.5.3 et seq.). The proposed findings and supporting evidence are as follows:

a. Development Within or Adjacent to ESHA – All ESHA policies and standards of the LCP have been met and the project design has been found to constitute the least environmentally damaging alternative pursuant to Section 8178-2.6.

Note, many of the site and building design standards for development in ESHA included in CZO Section 8178-2.6 do not apply; this project is considered a "Public Works Project," public transportation facilities (streets, roads, highways, structures, bridges, etc.).

The replacement bridge will be constructed in the same location as the original bridge (Bridge No. 52-0040) and no expansion or capacity will be added. A Coastal Hazards Assessment was prepared by ESA, dated December 2022 (Exhibit 6). The bridge has been designed to afford a clearance height to account for potential flooding, wave run-up, and sea level rise. The existing bridge provides a path for northbound travelers going to County and State campgrounds, the Rincon Parkway, coastal beaches, and the coastal communities of Solimar, Faria, and Seacliff, and a path for southbound travelers getting onto U.S. 101. There are no alternative locations to replace Bridge No. 52-0040 and the design has been determined to be the least environmentally damaging alternative pursuant to CZO Section 8178-2.6.1.

The Emma Wood Beach access road begins at SR 1 and continues south to the campground. The access road is protected by a seawall that ends just before the campground kiosk, followed by rock rip rap. A slope supporting SR 1 is located on the east side of the access road. The access road experiences wave action. The portion of the access road protected by the seawall ponds with water, but the road width is maintained; however, where the rock rip rap starts, the paved road narrows. This is a “pinch point” in the access to Emma Wood State Beach and modifying the slope is the only alternative to improve circulation in this area. To restore the road width to its design capacity of a striped two-lane paved access road, the slope supporting SR 1 will be graded, a retaining wall constructed, the road extended approximately 8-10 feet landward, within the access easement, and then repaved. The retaining walls/abutments for the new bridge will also disturb this slope. Approximately 0.04 acres (1,742 sq. ft.) of degraded and isolated Environmentally Sensitive Habitat Areas (ESHA), specifically disturbed Quailbrush-Lemonade Berry Scrub, will be removed to construct the retaining wall and abutments.

A Class 1 Bike Lane currently exists in the Caltrans right-of-way. Proposed improvements shift the Class 1 Bike Lane to the south side of SR 1 and install safety measures (barriers, striping, crosswalk) not currently present. The Class 1 Bike Lane connector from Omer Rains Bike Trail to SR 1 will confine bicyclists to the seaward side of SR 1. This section of SR 1 exposes bicyclists and pedestrians to oncoming vehicles at a rate of speed of 45-55 mph so keeping these individuals on the seaward side of SR 1 is the preferred alternative. This alignment will require the construction of a pedestrian bridge over a culvert. The culvert functions as the outlet for a drainpipe that collects runoff from U.S. 101 during rain events. The abutments for the elevated pedestrian bridge that will span the culvert will remove approximately 336 sq. ft. of native vegetation, which includes California rye grass, Coyote brush, Mulefat, Saltbrush and cottonwood, that is also considered ESHA.

Caltrans is proposing to submit a Habitat Restoration, Habitat Maintenance and Monitoring Plan, and Habitat Management Plan that requires the planting of 4,157 square feet of local, indigenous native vegetation to offset the loss of 2,078 sq. ft. of degraded ESHA.

- b. Increase of a Mandatory Fuel Modification Zone – New development with a mandatory fuel modification zone greater than the standard 100-foot width requires a finding supported by a determination made by the Ventura County Fire Protection District, that the increased fuel modification zone of up to 200- feet is needed to protect life and**

property from wildland fires based on site specific environmental conditions and that there are no other feasible mitigation measures possible.

This project is considered a “Public Works Project,” and includes public transportation facilities (streets, roads, highways, structures, bridges, etc.). A standard 100-foot fuel modification is not required for these types of facilities; typically, a 10-foot fuel modification is required on either side for streets/driveways. The project site is the U.S. 101 corridor, and no fuel modification is required.

- c. **Expanded Fuel Modification Zone – If the width of a fuel modification zone exceeds 100 feet, the Ventura County Fire Protection District has authorized the expanded fuel modification zone, and determined that it is necessary to protect life, property, and natural resources from unreasonable risks associated with wild land fires and there are no other mitigation measures possible.**

This finding is not applicable to the project.

- d. **Economically beneficial use – If a Coastal Development Permit allows a deviation from a policy or standard of the LCP pursuant to Coastal Area Plan Policy 4.2, permit findings shall meet the requirements in Coastal Area Plan Policy 4.3.**

All work would occur within the Caltrans right of way and the Emma Wood State Beach access road easement. The requested Coastal PD Permit does not require a deviation from a policy or standard of the Ventura County LCP.

- e. **Site Specific ESHA Determinations and Maps – The physical extent of habitat meeting the definition of ESHA and buffer zone on the entirety of the lot containing the project site is accurately mapped within the CISBA, is consistent with the LCP policies and standards (e.g., definition of ESHA, buffer zone determinations) and available independent evidence, and has been review by the Planning Staff Biologist or a County’s Biological Consultant.**

Paul Caron, Senior Biologist with Caltrans prepared an Initial Study Biological Assessment (ISBA) dated June 16, 2022, and amended on July 31, 2023 and October 9, 2023 (Exhibit 7). The ISBA was reviewed for adequacy by Envicom Corporation. Areas that were identified as ESHA and will be impacted by the project include improvements to the Emma Wood State Beach access road and bridge abutments/retaining walls and construction of a Class 1 Bike Lane pedestrian bridge over a culvert. The Emma Wood Beach access road widening will permanently remove approximately 0.04 acres (1,742 sq. ft.) of degraded, disturbed, and isolated Quailbrush-Lemonade Berry Scrub. The abutments for the elevated pedestrian bridge that will span a culvert will remove approximately 336 sq. ft. of native vegetation, which includes California rye grass, Coyote brush, Mulefat, Saltbrush and cottonwood, that is also considered ESHA.

- e. **Compensatory Mitigation – All direct and indirect adverse impacts to ESHA resulting from the development and any unpermitted development are fully mitigated consistent with the LCP policies and standards, and required financial assurances are provided. All on-site and off-site areas subject to compensatory mitigation will be preserved in perpetuity consistent with Section 8178-2.10.1(c).**

The Ventura County Local Coastal Program (LCP) ESHA standards prescribe procedures for evaluating biological resources and assessing the potential for direct and indirect impacts to these resources. The ESHA standards require that impacts to ESHA be offset through restoration, enhancement, or preservation of ESHA. Caltrans will be submitting a Habitat Restoration Plan, Habitat Maintenance and Monitoring Plan, and a Habitat Management Plan, that identifies areas where a total of 4,157 square feet of native vegetation will be planted to offset the loss of 2,078 sq. ft. of degraded ESHA. Areas to be planted with local, indigenous native vegetation will be monitored to ensure success, and preserved in perpetuity. Areas that will be restored will enhance, beautify, and provide new habitat.

- f. **Open Space Restriction – All ESHA, buffer zones, and slopes over 30 percent gradient located on the lot outside of the building site and mandatory fuel modification zone are preserved in perpetuity through a conservation easement or conservation instrument except as otherwise set forth in the project’s associated Coastal Development Permit and any allowable future development that is consistent with Section AE-2.2.2.**

The Permittee will be required to submit a Habitat Management Plan that includes documented proof that the 4,157 sq. ft. of restoration areas are protected in perpetuity.

- h. **Land Divisions – For a lot(s) that contain ESHA or buffer zone and is proposed for land division, substantial evidence was provided that demonstrates that the land division will not result in new, adverse impacts to ESHA or buffer zone including those that could occur due to an economically beneficial use of the property.**

The project does not involve a subdivision, this finding does not apply.

- i. **ESHA Preservation Incentives – If a Coastal Development Permit is being granted pursuant to an ESHA preservation incentive, then the proposed land division will result in the preservation of large areas of unfragmented ESHA. Also, the proposed land division will not result in greater impacts to ESHA or buffer zones, and will not increase the loss of ESHA, when compared to the development that could occur without use of the incentive.**

The project is not requesting an ESHA preservation incentive.

2. The following letter and number assignments have been revised to reflect the insertion of correction no. 1 (above) and number 5. In the Recommendations (below).

G. ~~PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS~~ ADDITIONAL FINDINGS FOR DEVELOPMENT IN ESHA OR BUFFER ZONE

GH. 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 this project is categorically exempt from CEQA pursuant to Sections 15301 [Existing Facilities], 15302 [Replacement and Reconstruction] and 15303 [New Construction of Small Structures] of the CEQA Guidelines.
3. **MAKE** the required findings to grant a Planned Development Permit (Tree Protection Regulations) pursuant to Section 8178-7.5.1.1 of the Ventura County CZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **MAKE** the required findings to grant a Coastal PD Permit pursuant to Section 8181-3.5 of the Ventura County CZO, based on the substantial evidence presented in Section F of this staff report and the entire record;
5. **MAKE** the required findings to grant a Coastal PD Permit pursuant to Section 8181-3.5.3 of the Ventura County CZO, based on the substantial evidence presented in Section G of this staff report and the entire record; and
6. **GRANT** Coastal PD Permit [Case No. PL22-0114], subject to the conditions of approval (Exhibit 4).
7. **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.