



---

**COASTAL PERMIT ADMINISTRATOR  
STAFF REPORT- CDP\_STANDARD**

---

**JULY 28, 2016  
CDP\_2015-0028**

---

**SUMMARY**

**OWNER:** STATE OF CALIFORNIA

**APPLICANT:** CALIFORNIA DEPARTMENT OF  
TRANSPORTATION (Caltrans)  
703 B STREET  
MARYSVILLE, CA 95901

**AGENT:** DOTRIK WILSON  
703 B STREET  
MARYSVILLE, CA 95901

**REQUEST:** Standard Coastal Development Permit for the placement of 1-ton boulders and relocation of an existing utility pole at the Chadbourne Gulch Beach access road. All work will occur within the existing Caltrans right-of-way. The purpose of this project is to ensure permanent protection of an existing sensitive coastal resource area as well as fulfill the conditions of the Emergency Coastal Development Permit (EM #5-2005) issued to the California Department of Transportation in December 2005.

**DATE DEEMED COMPLETE:** December 10, 2015

**LOCATION:** In the Coastal Zone, 2± miles south of the Town of Westport, located on the west side of Highway 1 at postmile marker 75.4, located within the Caltrans right-of-way (APN 015-010-31).

**TOTAL ACREAGE:** 70.3± acres

**GENERAL PLAN:** OS

**ZONING:** OS

**SUPERVISORIAL DISTRICT:** 4

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt, Class 31 – projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation or reconstruction of historical resources.

**RECOMMENDATION:** Approve with Conditions

**STAFF PLANNER:** ROBERT DOSTALEK

## BACKGROUND

### PROJECT DESCRIPTION:

The applicant proposes to place rock slope protection (RSP) boulders and relocate an existing utility pole on State Route 1 at post mile 75.43 (a.k.a. Chadbourne Gulch Beach access road or "Blue's Beach"). Boulder dimensions would range between ½ ton (2' x 2' x 2') and 2 tons (3' x 3' x 3'). The purpose is to protect an existing archaeological resource area and fulfill the conditions of an Emergency Coastal Development Permit (EM #5-2005) issued to the California Department of Transportation in December 2005. The approximately 100-linear feet of K-rail segments installed under EM #5-2005 are proposed to remain in place. The existing utility pole would be cut to ground height and hand carried out of the site. A new pole would be installed approximately 90 feet to the southeast of the existing pole location. The new utility pole would be an approximately 40 foot-tall class 4 wooden pole.

Approximately 100-linear feet of RSP boulders are proposed to be positioned to block vehicular access to the "loop" which is currently used as an informal parking area. The boulders would be located approximately 100 feet south of the existing K-rail and along the coastal bluff edge to prevent off-road vehicles from accessing the flat from the beach. All proposed work would occur within the existing Caltrans right-of-way. Staging would be located on the existing Chadbourne Gulch Beach access road. Construction would have a duration of approximately 5 working days. An excavator would be required to lift and place the boulders. The excavator would be directed by the Caltrans archaeologist to ensure proper boulder placement.

### RELATED APPLICATIONS:

In December of 2005, a Coastal Development Emergency Permit (EM #5-2005) was issued to protect an exposed archaeological site on land owned by the State of California. Erosion was being accelerated by vehicular traffic occurring outside the perimeter of the established parking area. The project included the placement of approximately 100-linear feet of K-rail segments to block vehicular access to the site. The project also included placement of approximately six inches of fill over exposed areas of the archaeological site.

### SITE CHARACTERISTICS:

The 70.3± acre subject parcel is situated on the west side of Highway 1, approximately two miles south of the town of Westport. To the north and south of the subject parcel is open space land owned by the State of California and to the east are privately owned, Rangeland-zoned parcels.

The project is situated on a coastal bluff area overlooking a popular surfing beach often referred to by locals as "Blue's Beach." The bluff area and beach are owned by Caltrans and there is a short dirt access road leading to the bluff and beach area from Highway 1. The access ends at a low coastal bluff area that rises in elevation towards the north. The bluff area is often used for vehicle parking and informal camping, which has denuded the area of all vegetation and has resulted in erosion to the soils. Rising high above the bluff just to the east is a steep fill slope that supports Highway 1. The project would occur on the eroding coastal bluff area north of Chadbourne Gulch.

The Emergency Permit was obtained to allow installation of K-rail across a portion of the bluff to block vehicles from exacerbating the existing soil erosion problem on the parcel. This project would further restrict vehicular access to this specific area in an effort to ameliorate future erosion potential.

**SURROUNDING LAND USE AND ZONING:**

	GENERAL PLAN	ZONING	LOT SIZES	USES
<b>NORTH</b>	OS	OS	31.18 Acres	Open Space
<b>EAST</b>	RL160	RL160	179 Acres	Vacant/Timber Production
<b>SOUTH</b>	OS	OS	24.78 Acres	Open Space
<b>WEST</b>	Pacific Ocean	Pacific Ocean	Pacific Ocean	Pacific Ocean

**AGENCY COMMENTS:**

Project referrals were sent on December 10, 2015 to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Department of Transportation		No Comment	January 22, 2016
Planning - Ukiah		No Comment	December 17, 2015
Environmental Health-FB		No Response	
Air Quality Management District		No Comment	December 22, 2015
Archaeological Commission		Report accepted	January 13, 2016
U.S. Fish and Wildlife		No Response	
Building Services-FBPBS		No Response	
Military Airspace		No Response	
Department of Forestry CalFire		No Response	
Dept. of Fish & Wildlife		Comments	January 21, 2016
Coastal Commission		No Response	
RWQCB		No Response	
Westport Municipal Advisory Council		No Comment	January 6, 2016
Westport Fire District		No Response	

**KEY ISSUES**

**1. General Plan and Zoning Consistency:**

The subject parcel is classified as Open Space by the Coastal Element of the Mendocino County General Plan, which is “intended to be applied to lands not suited for development or to lands most valuable in their undeveloped natural state” (Chapter 2.2 of the County of Mendocino General Plan Coastal Element). The principally permitted use designated for the Open Space land use classification is “Landscape preservation; associated with park or open space use; light agriculture; passive low impact recreation” (Chapter 2.2 of the County of Mendocino General Plan Coastal Element).

The parcel is currently undeveloped and is used as a public coastal access point to areas supporting passive recreational uses of sight-seeing, fishing, surfing, etc. The proposed project is to further protect an identified coastal resource and will not alter the use of the parcel. The proposed project is therefore consistent with the Open Space land use classification of the Coastal Element of the Mendocino County General Plan.

## 2. Coastal Access:

Implementation of the project would temporarily limit public coastal access at this location. The applicant has submitted a preliminary construction schedule which includes the following:

- Utility work: Install new utility pole, connect utility lines, and remove existing pole. This work should be completed in 1 to 2 days. Beach access should remain open. This work will be completed by AT&T in advance of the contract to place the boulders.
- Deliver boulders (1-ton RSP): The beach access road may need to be closed while the rocks are being delivered to the site to safely move dump trucks in and out. If the access road is closed, signs will be posted advance of the closures per Caltrans closure notices. The rocks should be delivered over a 2 to 3 day period. The duration of the rock delivery is dependent on the distance to the quarry and the number of dump trucks used. The rocks will likely be dumped in the existing parking area or as directed by the archeological monitors. A flagger will likely be stationed at the access road to let dump trucks in and out. There are no lane or road closures expected on State Route 1.
- Place boulders (1-ton RSP): The contractor would be required to place the 1-ton rocks under the Caltrans specification for Rock Slope Protection (Method A). Method A placement requires the contractor to place each rock with an excavator or similar equipment. It will likely take the contractor 1 or 2 days to place the boulders. The beach access road does not need to be closed while the rocks are being placed. The rocks may be placed concurrently with the rock delivery.

Should the project impede coastal access during its brief construction period, alternative public coastal access locations in the vicinity include the formal Vista Point approximately one mile to the south and the Village of Westport approximately 1.5 miles to the north.

## 3. Environmental Protection:

Visual Resources: The project is located in an area designated Highly Scenic by the Local Coastal Program. Accordingly, the project is subject to Local Coastal Program Visual Resource policies relating to Highly Scenic Areas. Pertinent development criteria include protection of public coastal views, siting of structures on the parcel, and location of access roads in areas where they cause minimal visual impact.

A "Scenic Resource Evaluation and Visual Impact Assessment" prepared by Caltrans staff (dated September 16, 2015) was submitted with the project application.

The assessment states:

*"This project located on State Route 1 North of Fort Bragg in Mendocino County has been reviewed for potential impacts to visual resources. This project proposes to place 1-ton rock slope protection (RSP) boulders and relocate an existing utility pole on State Route 1 at post mile 75.43. The RSP will be used as a barrier and line the southern edge of the access road to prevent vehicles from entering a portion of the access road. The existing utility pole will be cut to ground level and a new pole will be erected southeast of the existing pole. The beach may be needed as a temporary access road, however, due to the sandy surface there will be minimal disturbance.*

*Highway 1 runs north and south along most of the California coast. It is well known for expansive and breathtaking views of the Pacific Ocean. The Mendocino coast and views of the Pacific Ocean within the region are highly valued scenic resources and therefore it is very important that all elements related to visual quality and visual impacts receive a thorough analysis.*

*Review of the project site and plans indicate that the project will not result in substantial adverse impacts to the visual environment although there is one recommendation that will reduce potential impacts. It is important that the RSP used as a barrier on the existing access road matches the color of stone that is within the area of the project. This will make the RSP look less intrusive for those that will have a view of the RSP from the highway as well as those that will view it from the beach.*

*The relocation of the utility pole will change existing visual impacts by decreasing visibility of the pole from the roadway while increasing the visibility of the pole from the beach area looking towards the highway; however, this impact is low. This review indicates that the project will not adversely affect any "Designated Scenic Resource" as defined by CEQA."*

A site view was conducted by Planning & Building Services staff on February 19, 2016. Based on observations at that time, staff concurs with the applicant's Visual Assessment and the recommendations to minimize project-related impacts. **Condition 9** is recommended to ensure boulder color is selected to match the hue and brightness of stone on the project site. To ensure the proposed new utility pole substantially conforms to the "40 foot-tall class 4 wooden pole" stated in the project description, **Condition 10** is recommended to require submission of a final detail of the proposed utility pole.

Archaeological/Cultural Resources: An archaeological survey was conducted for the proposed project (report prepared by Caltrans staff archaeologist Timothy O'Keefe — dated August 31, 2015). Sites were identified within the project area. The Survey was reviewed and accepted at the January 13, 2016 Mendocino County Archaeological Commission Hearing. To ensure protection of the archaeological resources, **Condition 11** is recommended to require adherence to protocol specified in the Environmentally Sensitive Area Action Plan included in the accepted survey.

The applicant is also advised of the Mendocino County Archaeological Resources Ordinance, and specifically Section 22.12, commonly referred to as the "Discovery Clause." Recommended **Condition 8** similarly advises the applicant of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project, and states:

With the inclusion of the recommended conditions of approval, the project is found consistent with protection of paleontological and archaeological resources.

Natural Resources: The project site contains Environmentally Sensitive Habitat Areas (ESHA) including Chadbourne Gulch, Red Alder Forest Alliance and marine mammal haul-out areas. A Natural Environment Study was conducted for the project and is included in this report as an Attachment. A Reduced Buffer Analysis was also completed for the project to lessen the required buffer distance from 100 feet down to as little as 20 feet from identified habitats and the beach (Attached). California Department of Fish & Wildlife concurs with the reduced buffer in their referral response dated January 21, 2016. Vehicles and materials would be required to remain on the gravel drive/parking area and would not access potential beach haulout areas (see Attachment). The boulders would be placed atop previously disturbed gravel areas and would prevent vehicular access and potential harm to the sensitive coastal resource area. Consequently, the boulder component of the project is expected to result in a net increase in overall resource protection.

Measures were included by the applicant to protect sensitive resources during the utility pole relocation. The removal would occur with hand-operated equipment (chainsaw). Vegetation removal associated with the new pole placement would be limited to September 1<sup>st</sup> - February 28<sup>th</sup> to avoid the bird nesting season (March 1<sup>st</sup> - August 31<sup>st</sup>). The protective measures proposed by the applicant were reviewed by and found to be acceptable by the Department of Fish & Wildlife. **Condition 12** is recommended to require adherence to the Environmentally Sensitive Habitat Area protective measures proposed by the applicant.

**RECOMMENDATION**

By resolution, adopt a Class 31 Categorical Exemption pursuant to the California Environmental Quality Act and grant approval of Coastal Development Permit #CDP 2015-0028, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

---

DATE

---

ROBERT DOSTALEK

Appeal Period: 10 Days  
Appeal Fee: \$910.00

**ATTACHMENTS:**

- A. Location Map
- B. Aerial Map
- C. Site Map
- D. Adjacent Owner Map
- E. Zoning Map
- F. General Plan/LCP Map
- G. Fire Hazards Map
- H. Flood Zone
- I. Highly Scenic/Tree Removal
- J. Natural Environment Study
- K. Reduced Buffer Analysis
- L. Construction Staging Map

**RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):**

**COASTAL PERMIT APPROVAL CHECKLIST**  
**CDP\_2015-0028 CHADBOURNE GULCH (CALTRANS)**  
**JULY 28, 2016**

**PROJECT TITLE:** CDP\_2015-0028 CHADBOURNE GULCH (CALTRANS)

**PROJECT LOCATION:** In the Coastal Zone, 2± miles south of the Town of Westport, located on the west side of Highway 1 at postmile marker 75.4, located within the Caltrans right-of-way (APN 015-010-31).

**LEAD AGENCY NAME,  
ADDRESS AND CONTACT PERSON:** Robert Dostalek  
Mendocino County  
Planning and Building Services  
860 N. Bush Street  
Ukiah, California 95482  
707-234-6650

**GENERAL PLAN DESIGNATION:** Open Space (OS)

**ZONING DISTRICT** Open Space (OS)

**DESCRIPTION OF PROJECT:** The applicant proposes to place rock slope protection (RSP) boulders and relocate an existing utility pole on State Route 1 at post mile 75.43 (a.k.a. Chadbourne Gulch Beach access road or "Blue's Beach"). Boulder dimensions would range between ½ ton (2' x 2' x 2') and 2 tons (3' x 3' x 3'). The purpose is to protect an existing archaeological resource area and fulfill the conditions of an Emergency Coastal Development Permit (EM #5-2005) issued to the California Department of Transportation in December 2005. The approximately 100-linear feet of K-rail segments installed under EM #5-2005 are proposed to remain in place. The existing utility pole would be cut to ground height and hand carried out of the site. A new pole would be installed approximately 90 feet to the southeast of the existing pole location. The new utility pole would be an approximately 40 foot-tall class 4 wooden pole.

Approximately 100-linear feet of RSP boulders are proposed to be positioned to block vehicular access to the "loop" which is currently used as an informal parking area. The boulders would be located approximately 100 feet south of the existing K-rail and along the coastal bluff edge to prevent off-road vehicles from accessing the flat from the beach. All proposed work would occur within the existing Caltrans right-of-way. Staging would be located on the existing Chadbourne Gulch Beach access road. Construction would have a duration of approximately 5 working days. An excavator would be required to lift and place the boulders. The excavator would be directed by the Caltrans archaeologist to ensure proper boulder placement.

**SITE DESCRIPTION AND SETTING:** The 70.3± acre subject parcel is situated on the west side of Highway 1, approximately two miles south of the town of Westport. To the north and south of the subject parcel is open space land owned by the State of California and to the east are privately owned, Rangeland-zoned parcels.

The project is situated on a coastal bluff area overlooking a popular surfing beach often referred to by locals as Blue's Beach. The bluff area and beach are owned by Caltrans and there is a short dirt access road leading to the bluff and beach area from Route 1. The access ends at a low coastal bluff area that rises in elevation towards the north. The bluff area is often used for vehicle parking and informal camping, which has denuded the area of all vegetation and has resulted in erosion to the soils. Rising high above the bluff just to the east is a steep fill slope that supports Route 1. The project would occur on the eroding coastal bluff area north of Chadbourne Gulch.

The Emergency Permit (EM #5-2005) was obtained to allow installation of K-rail across a portion of the bluff to block vehicles from exacerbating the existing soil erosion problem on the parcel. This project would further restrict vehicular access to ameliorate future erosion potential.

The proposed work would be conducted at the end of a dirt road that provides the public with access to the Pacific Ocean. Repeated use by the public has resulted in an informal parking area at the end of the road. The project site is located on a southwest facing slope just beyond the parking area.

**DETERMINATION:** The proposed project **conditionally satisfies all required findings for approval of a Coastal Development Permit**, pursuant to Section 20.532.095 and 20.532.100 of Division II of Title 20 of the Mendocino County Code (MCC), as individually enumerated in this Coastal Permit Approval Checklist.

20.532.095 Required Findings for All Coastal Development Permits	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
<b>(A) The granting or modification of any coastal development permit by the approving authority shall be supported by findings which establish the following:</b>				
(1) The proposed development is in conformity with the certified local coastal program.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) The proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserves the integrity of the zoning district.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>(B) If the proposed development is located between the first public road and the sea or the shoreline of any body of water, the following additional finding must be made:</b>				
(1) The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

➤ **20.532.095(A)(1) The proposed development is in conformity with the certified local coastal program.**

*Consistent (with conditions of approval)*

The Local Coastal Program sets goals and policies for managing resource protection and development activity in the Coastal Zone of Mendocino County, an area that extends from the Humboldt County line to the Gualala River. The Local Coastal Program addresses topics such as shoreline access and public trails; development in scenic areas, hazardous areas, and coastal blufftops; environmentally sensitive habitat areas; cultural resources; transportation; public services; and more. The Local Coastal Program serves as an element of the General Plan and includes Division II of Title 20 of the Mendocino County Code (MCC), and its policies must be consistent with the goals of the California Coastal Act.

Various aspects of the Local Coastal Program are specifically addressed by separate Required and Supplemental Findings for Coastal Development Permits, including utilities, transportation, zoning, CEQA, archaeological resources, public services, coastal access, and resource protection. The following is a discussion of elements of the Local Coastal Program not specifically addressed elsewhere in this checklist.

**General Plan Land Use – Open Space**

The subject parcel is classified as Open Space by the Coastal Element of the Mendocino County General Plan, which is “intended to be applied to lands not suited for development or to lands most valuable in their undeveloped natural state” (Chapter 2.2 of the County of Mendocino General Plan Coastal Element). The principally permitted uses designated for the Open Space land use classification are “Landscape preservation; associated with park or open space use; light agriculture; passive low impact recreation” (Chapter 2.2 of the County of Mendocino General Plan Coastal Element).

The Chadbourne Gulch parcel is informally developed as a coastal access road (also known locally as “Blue’s Beach”), which is an area supporting the passive recreational uses of sight-seeing, fishing and surfing. The proposed project is to ensure long-term protection of a sensitive coastal resource area and will not alter the use of the parcel. The proposed project is therefore consistent with the Open Space land use classification of the Coastal Element of the Mendocino County General Plan.

**Hazards**

Chapter 3.4 of the Mendocino County Coastal Element addresses Hazards Management within the Coastal Zone. The subject property is a beachfront parcel, located west of Highway 1. The project is intended to deter vehicular movement thereby protecting a sensitive coastal resource area.

Seismic Activity: The property neither lies within, nor does it adjoin a mapped Alquist-Priolo Earthquake fault zone. The San Andreas fault is located approximately ten (10) miles offshore to the west of the project site and is the nearest active fault. The site, like the rest of Mendocino County, is subject to strong ground shaking. Figure 3-12 of the Mendocino County General Plan indicates that the subject parcel is not located in a known area of soil liquefaction.

Landslides: There are no known translational/rotational or debris slides mapped on the subject parcel (Department of Conservation, Division of Mines and Geology 1984).

Erosion: As proposed, the project would further restrict vehicular access and prevent future erosion potential.

Flooding: Portions of the 70.3± acre parcel are within mapped floodplain zones (beach inundation and Chadbourne Creek). The proposed project is located outside those designated areas and therefore no conditions are necessary to ensure consistency with flood policy (Federal Emergency Management Agency 2011).

Fire: The majority of the parcel is mapped as having a High Fire Hazard severity rating. The proposed project is exempt from the California Department of Forestry and Fire Protection (CalFire) preliminary Clearance requirements, as the proposed project does not include any building for human occupancy. The project was referred to CalFire for comments or recommendations. CalFire stated that they had no comments at this time on the proposed project.

**Visual Resources**

Protection of visual resources is a specific mandate of Section 30251 of the Coastal Act, and is subsequently addressed in Chapter 3.5 of General Plan’s Coastal Element and implemented by MCC Chapter 20.504. Coastal Element Policy 3.5-1 provides general guidelines for all development in the coastal zone, requiring that:

*The scenic and visual qualities of Mendocino County 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 surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas designated by the County of Mendocino Coastal Element shall be subordinate to the character of its setting.*

The project is located in an area that is designated Highly Scenic by the Local Coastal Program (see Highly Scenic and Tree Removal Zones map). Therefore, the project is subject to Local Coastal Program Visual Resource policies relating to Highly Scenic Areas. Pertinent development criteria include protection of public coastal views, siting of structures on the parcel, and location of access roads in areas where they cause minimal visual impact.

A "Scenic Resource Evaluation and Visual Impact Assessment" prepared by Caltrans staff was submitted with the project application (dated September 16, 2015). The assessment states:

*"This project located on State Route 1 North of Fort Bragg in Mendocino County has been reviewed for potential impacts to visual resources. This project proposes to place 1-ton rock slope protection (RSP) boulders and relocate an existing utility pole on State Route 1 at post mile 75.43. The RSP will be used as a barrier and line the southern edge of the access road to prevent vehicles from entering a portion of the access road. The existing utility pole will be cut to ground level and a new pole will be erected southeast of the existing pole. The beach may be needed as a temporary access road, however, due to the sandy surface there will be minimal disturbance.*

*Highway 1 runs north and south along most of the California coast. It is well known for expansive and breathtaking views of the Pacific Ocean. The Mendocino coast and views of the Pacific Ocean within the region are highly valued scenic resources and therefore it is very important that all elements related to visual quality and visual impacts receive a thorough analysis.*

*Review of the project site and plans indicate that the project will not result in substantial adverse impacts to the visual environment although there is one recommendation that will reduce potential impacts. It is important that the RSP used as a barrier on the existing access road matches the color of stone that is within the area of the project. This will make the RSP look less intrusive for those that will have a view of the RSP from the highway as well as those that will view it from the beach.*

*The relocation of the utility pole will change existing visual impacts by decreasing visibility of the pole from the roadway while increasing the visibility of the pole from the beach area looking towards the highway; however, this impact is low. This review indicates that the project will not adversely affect any "Designated Scenic Resource" as defined by CEQA."*

The applicant has indicated that a typical 1-ton boulder is approximately 2.5' x 2.5' x 2.5'. The dimensions could vary as rocks between ½ ton (2' x 2' x 2') and 2 tons (3' x 3' x 3') may also be utilized. The proposed utility pole would be an approximately 40-foot tall class 4 wooden pole.

Staff conducted a site view on February 19, 2016 to evaluate the project site. The K-rail placed on the site in 2005 is now weathered, slightly deteriorated and has been spray-painted with graffiti. The K-rail is also overgrown with vegetation.

This portion of Highway 1 is not a State Designated Scenic Highway, but it is currently listed as an "eligible" portion for the designation. The proposed project would not significantly degrade the visual quality of the area and therefore should not jeopardize future eligibility for possible scenic designation.

Staff concurs with the "Scenic Resource Evaluation and Visual Impact Assessment". The proposed boulders would not exceed the 18-foot height limit for development in Highly Scenic Areas and would not obstruct views to the ocean. The relocation of the utility pole would be substantially like for like in terms of materials and the new location 90 feet southwest of the existing location would not create a new, intensified visual impact on the project site. No exterior lighting is proposed as part of this application.

Accordingly, **Condition 9** is recommended to require the applicant to submit rock or rock color samples associated with the proposed boulders to ensure they will blend in hue and brightness with the surrounding landscape of the site. **Condition 10** is recommended to require submission of a final detail of the proposed utility pole. As conditioned, the proposed project would be consistent with the criteria for development in a highly scenic area.

#### **Natural Resources**

Protection of natural resources is addressed in Chapter 3.1 of the Mendocino County Coastal Element and implemented by MCC Chapter 20.496.

Caltrans prepared a Natural Environment Study dated September 2015 and an ESHA Assessment/Reduced Buffer Analysis dated October 5, 2015 for the proposed project (see Attachments J & K). Several resources were identified in the studies that qualify as Environmentally Sensitive Habitat Areas (ESHA). Table 1 is a summary of the identified ESHAs, the buffer distance and if impacts are anticipated.

**Table 1. ESHA Summary Table**

ESHA	Type	Buffer	Potential Impacts
1	Chadbourne Gulch (terminus of Chadbourne Creek)	All project components, including boulder placement, and relocation of an existing utility pole, would occur more than 100 feet from Chadbourne Gulch (ESHA 1).	No Impacts Expected
2	Red Alder Forest Alliance	All project components, including boulder placement, and relocation of an existing utility pole, would occur more than 100 feet from the riparian area (ESHA 2)	No Impacts Expected
3	Blue's Beach, which may be considered a marine mammal haul-out area	The beach is approximately 20 feet from existing K-rail at the closest point, and other project components, including utility pole relocation and boulder placement, would also occur within 100 feet of the beach.	No Impacts Expected

ESHA 1 is Chadbourne Gulch where it empties into the ocean. Upriver areas of Chadbourne Gulch have been previously identified as habitat areas for Pacific tailed frog (*Ascaphus truei*), and southern torrent salamander (*Rhyacotriton variegates*).

ESHA 2 is the Red Alder Forest (*Alnus rubra* Forest Alliance G5 S4) riparian zone associated with Chadbourne Gulch. Riparian trees present include red alder (*Alnus rubra*) and arroyo willow (*Salix lasiolepis*). Giant horsetail (*Equisetum telmateia* ssp. *braunii*), red elderberry (*Sambucus racemosa* var. *racemosa*), and California figwort (*Scrophularia californica* ssp. *californica*) were also observed. As its vegetation is primarily hydrophytic, it can also be classified as a coastal (1-parameter) wetland.

ESHA 3 is Blue's Beach, which may be considered a marine mammal haul-out area. Although not observed during the field surveys and not listed on any of the record searches, Pacific harbor seal (*Phoca vitulina*) and California sea lion (*Zalophus californianus*) could come onto the beach adjacent to the project site to "haul out." Pacific harbor seals and California sea lions are protected under the Marine Mammal Protection Act, under which it is illegal to "take" a marine mammal without prior authorization from NOAA Fisheries.

The specific location of the proposed boulders and relocated utility pole would be outside ESHA 1 and ESHA 2. A Reduced Buffer Analysis was completed for the project to reduce the required buffer distance from 100 feet down to as little as 20 feet for certain components of the project from the identified habitats and the beach. Due to topography and the purpose of the boulder placement, there are no alternative locations farther away from the ESHAs. The access road to the project site traverses the delineated 100 and 50-foot buffer areas from the Red Alder Willow Riparian Habitat. However, vehicles and materials would be required to remain on the gravel drive/parking area and would not access potential beach haulout areas. The boulder placement to delineate the boundaries of the beach parking area is low impact — preventing vehicular access and potential harm to other on-site sensitive coastal resources. Consequently, the boulder component of the project is expected to result in a net increase in resource protection.

The vegetation removal associated with the new pole placement would be limited to between September 1<sup>st</sup> and February 28<sup>th</sup> to avoid nesting bird season (March 1<sup>st</sup> through August 31<sup>st</sup>). Although vegetation and ground disturbance would occur around the new utility pole location in order to facilitate installation, the site would be stabilized per standard BMPs immediately after disturbance. As such, work is not anticipated to change the potential for erosion at the site.

The project was referred to the California Department of Fish & Wildlife for comment on December 10, 2015. The referral package included the Natural Environment Study and Reduced Buffer Analysis. On January 21, 2016, we received an email referral response from Angela Liebenberg containing the following comments:

*"This is in response to the request for comments on CDP #2015-0028. The project consists of relocation of an existing utility pole and placement of 1-ton boulders within the existing Caltrans right-of-way along Highway 1 near "Blue's beach," south of Westport.*

*I reviewed the "ESHA Assessment and Reduced Buffer Analysis" report prepared for the project by Caltrans biological staff. Two of the three identified ESHAs are at least 100 feet from project activities. Caltrans proposes a buffer of as little as 20 feet for the beach. However, vehicles and construction materials will not access or be staged on the beach; in addition, pre-project surveys will be conducted, with project work postponed if marine mammals are detected. I concur with the report's determination that avoidance and protective measures incorporated into the project's design will prevent impacts to the identified ESHAs.*

*I have no additional recommendations."*

Condition 12 is recommended to incorporate the recommendations from the Reduced Buffer Analysis (EA 01-494301) into the project (Attachment K).

In summary, with the inclusion of the recommended conditions and findings made in accordance with MCC Section 20.532.100 (A)(1), included later in this document, the project is found consistent with MCC Chapter 20.496.

- **20.532.095(A)(2) The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities.**

*Consistent (with conditions of approval)*

Utilities: The project itself does not require any utility extensions or hookups. However, a component of the project is to relocate an existing utility pole. No utilities are existing or proposed as improvements for the site.

Access Roads: The parcel is currently provided access off of Highway 1, approximately two (2) miles south of the town of Westport. The proposed project is being undertaken by the California Department of Transportation to protect a sensitive coastal resource area and relocate an existing utility pole. Adequate access to the subject parcel would remain following project implementation.

Drainage: Drainage is subject to MCC Section 20.492.025, which provides regulations mitigating the impact of stormwater runoff and erosion. The purpose of the project is to prevent further erosion damage from vehicles on the hillside. No cut and fill or grading would be needed, and no access roads would be constructed.

- **20.532.095(A)(3) The proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserves the integrity of the zoning district.**

*Consistent (without conditions of approval)*

Intent: The subject parcel is zoned Open Space. The intent of the Open Space zoning district is "to be applied to lands within the Coastal Zone which are not suited for development or are valuable in their undeveloped natural state and to public park lands" (MCC Section 20.372.05). The proposal to allow continued access to the coast. The proposed improvements are consistent with the intent of the Open Space zoning district.

Use: The purpose of the proposed project is to more permanently protect an identified sensitive coastal resource area from disruption due to vehicular encroachment and resulting erosion. The project would not alter the existing use as a public access to the ocean. Therefore, the proposed project would be consistent with the allowable uses in the Open Space zoning district.

Density: The maximum dwelling density in the Open Space zoning district is one dwelling unit (caretaker only) per ten (10) acres of contiguous open space area. The proposed project does not propose any residential

development and therefore does not conflict with the dwelling density standards of the Open Space zoning district.

**Yards:** The minimum yard requirements in the Open Space zoning district for a parcel of this size are fifty (50) feet from the front and rear yards and twenty (20) feet in the side yard (MCC Section 20.372.030 through Section 20.372.035). The proposed development would be located outside of any yard on the parcel.

**Height:** The maximum permitted building height for all structures in the Open Space zoning district is sixteen (16) feet (MCC Section 20.372.040). Minor utility pole and equipment relocations are exempt from CDP permitting requirements.

**Lot Coverage:** There is no limitation on permitted lot coverage in the Open Space zoning district.

- **20.532.095(A)(4) The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.**

*Consistent (with conditions of approval)*

A Categorical Exemption from the California Environmental Quality Act (CEQA) is recommended based on Section 15331 (Class 31) of the CEQA Guidelines, which state:

*“Class 31 consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.”*

Historic resources as defined by CEQA include archaeological sites per Section 15064.5(C) of the State Guidelines. A confirmed archaeological site exists on the subject parcel. The purpose of the Emergency Permit and Coastal Development Permit is to protect a sensitive cultural coastal resource. The utility pole relocation and boulder placement are intended to provide more permanent protection of the previously exposed resource and to minimize its vulnerability to future disturbance. The Caltrans staff archaeologist prepared a Historic Resources Compliance Report that was accepted by the Mendocino County Archaeological Commission. **Condition 11** would require adherence to the recommendations contained in the report.

- **20.532.095(A)(5) The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.**

*Consistent (with conditions of approval)*

Archaeological resources exist on the project site. Caltrans prepared a Cultural Resources Memorandum for the proposed project. The Memorandum was referred to the Mendocino County Archaeological Commission to determine if the survey was appropriately conducted and make recommendations for the protection of cultural resources. The project was heard by the Mendocino County Archaeological Commission on January 31, 2016. The Commission accepted the survey with recommendation that the recommendations in the report shall be strictly adhered to. **Condition 11** would ensure that the recommendations contained in the Environmentally Sensitive Area Action Plan are incorporated throughout all stages of the project. These recommendations are as follows:

Stage	Task	Responsible Party*	Task completed (date and initial)
Prior to Construction	All responsible parties, including the Caltrans PQS, will review the 90% Design Plans to ensure the ESA location*, protective measures, and Caltrans PQS construction role are correctly identified on project plans and	Caltrans PQS, Caltrans Environmental Coordinator, Project Manager, Project Engineer.	

	specifications.		
	This ESA Action Plan* will be part of the Resident Engineer File and Caltrans archaeologist will attend preconstruction meeting to ensure that ESA commitments are addressed.	Caltrans PQS, Caltrans Environmental Coordinator, Resident Engineer, Construction Contractor.	
	ESA will be discussed during the preconstruction meeting. The importance of the ESA will be discussed with construction personnel and it will be stressed that no construction activity (including storing or staging of equipment or materials) should occur within the ESA and that workers must remain outside of the ESA at all times except for removal of utility pole. Additionally, construction personnel will be informed of historic preservation laws that protect archaeological sites against any disturbance or removal of artifacts.	Caltrans PQS, Resident Engineer, Construction Contractor.	
During Construction	The Resident Engineer will notify Caltrans PQS at least two weeks in advance of construction to ensure they will be available to install ESA protection* and construction schedule will be provided.	Caltrans PQS and Resident Engineer.	
	Caltrans PQS will notify Sherwood Valley Band of Pomo project will be entering construction in two weeks and that a tribal monitor will be required.	Caltrans PQS, Sherwood Valley Band of Pomo.	
	The Caltrans PQS will be notified 5 days before the start of construction and will notify the Sherwood Valley Band of Pomo of this so that a tribal monitor can be present.	Caltrans PQS, Resident Engineer.	
	On the first day of construction, Caltrans PQS will install ESA staking* before construction activities commence. These will be removed each day and reinstalled each morning until construction is complete.	Caltrans PQS.	
	The construction activities will occur with a tribal monitor and Caltrans PQS	Caltrans PQS, Sherwood Valley Band	

	present.	of Pomo.	
	The Caltrans PQS will guide the contractor in the placement of boulders to ensure they are located appropriately.	Caltrans PQS, Resident Engineer, Construction Contractor.	
	The Caltrans PQS will notify the RE, and PM of any ESA violation or unanticipated discovery and will also consult with representatives of local tribes. The Caltrans PQS will notify the State Historic Preservation Officer and consult with all parties to determine necessary actions.	Caltrans PQS, Resident Engineer, Project Manager.	
After Construction	The Resident Engineer will inform the Caltrans PQS when construction is finished.	Resident Engineer.	
	The Caltrans PQS will remove ESA staking after construction ends.	Caltrans PQS.	

The applicant is advised of the Mendocino County Archaeological Resources Ordinance, and specifically Section 22.12, commonly referred to as the "Discovery Clause." Recommended **Condition 8** similarly advises the applicant of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project, and states:

**Condition 8:** If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.

With the inclusion of the recommended condition of approval, the project is found consistent with protection of paleontological and archaeological resources.

- **20.532.095(A)(6) Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.**

*Consistent (with conditions of approval)*

Solid Waste: Equipment and materials would be staged at the existing parking area. Excess materials from the project would be removed from the site. The Caltrans Resident Engineer would be responsible for ensuring that all requirements for disposal of material are met by the Contractor. Condition 12 is recommended to ensure that any debris remaining from the project be removed from the site.

**Condition 12:** At least 10 days prior to commencement of construction activities the applicants shall submit a final plan for debris disposal to the County that identifies appropriate disposal sites for all materials.

Roadway Capacity: There would be no change to the existing access road nor a change in use that would generate additional trips on Highway 1.

➤ **20.532.095(B)(1) The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.**

*Consistent (without conditions of approval)*

The project site is located west of Highway 1 and provides public coastal access. The applicant has provided the following statement in response to public coastal access during project construction:

*“We expect the utility pole relocation to be completed in 2 working days. The work would be performed by AT&T prior to placing the 1-ton RSP. The area should not need to be closed for this work.*

*We expect the rock placement to be completed in 5 working days. The area would need to be closed for 3 to 5 days depending on how fast the contractor can deliver the 1-ton rock. Temporary closure is needed to move dump trucks, etc., in and out. A sign would be installed 7 to 14 days prior to provide advance notice of the temporary closure. During construction, a flagger will be stationed at the beach access road to allow construction equipment in and out of the project site.”*

The project would temporarily limit public access during construction, but would have no impact on long-term coastal access. Accordingly, the proposed development would be in conformity with the public access and public recreation policies of the Coastal Act and the Coastal Element of the General Plan.

<b>20.532.100 (A) Resource Protection Impact Findings</b>	Inconsistent	Consistent (With Conditions of Approval)	Consistent (Without Conditions of Approval)	Not Applicable
<b>(1) Development in Environmentally Sensitive Habitat Areas. No development shall be allowed in an ESHA unless the following findings are made:</b>				
(a) The resource as identified will not be significantly degraded by the proposed development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) There is no feasible less environmentally damaging alternative.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion of Findings**

➤ **20.532.100(A)(1), et. seq. No development shall be allowed in an ESHA unless the following findings are made...**

*Consistent (with conditions of approval)*

A Reduced Buffer Analysis was completed for the project to reduce the required buffer distance from 100 to as little as 20 feet from the beach. CDFW reviewed and concurred with the reduced buffer analysis for the project (referral response dated January 21, 2016). Due to competing sensitive coastal resources on the site, the project warrants flexibility and balance in order to adequately address their respective protection. Accordingly, the proposed work in or near an ESHA and/or its associated buffer is supported in this instance.

Although vegetation and ground disturbance would occur around the new utility pole location in order to facilitate installation, the site would be stabilized per standard BMPs immediately after disturbance. This work is not anticipated to affect the potential for erosion at the site. The overall development is low impact and also includes boulder placement to delineate the boundaries of the beach parking area, thereby preventing vehicular access and potential harm to resources. Accordingly, The development is anticipated to result in a net increase in resource protection.

The ESHA Assessment/Reduced Buffer Analysis dated October 5, 2015 states the following points in support of the project

- a. The intent of the development is to protect the adjacent habitat and resources from existing vehicle-related impacts.
- b. No other feasible site exists for protective structures. The utility pole will be relocated away from sensitive areas.
- c. Boulders would be placed along the perimeter of the parking area and at the downslope edge of areas to be closed to vehicle traffic to best protect adjacent areas from vehicular impacts. The utility pole would be removed from an area recovering from detrimental impacts caused by vehicle access, and relocated to an area outside of ESHAs where access for regular maintenance will not be detrimental.
- d. The project would not remove, degrade, or substantially disrupt habitat areas. The development would be compatible with the continuing functionality of ESHAs.
- e. Riparian vegetation would not be removed, and buffer values would not be compromised.
- f. The project has been designed with minimal impact in mind. Boulder placement is expected to result in minimal changes to bare soil, vegetation, and impervious surfaces. Boulder placement and other project components are not expected to result in dust impacts. No wetland intrusion is expected.
- g. No loss of riparian vegetation would result from the project.
- h. No structures would be placed in a 100-year flood zone that would impede passage of water.
- i. The project would maintain the hydraulic function of adjacent waters and functional capacity of adjacent habitats.
- j. The project would not modify hydraulic conveyance.
- k. Measures are recommended to ensure the protection of resources during construction:
  - i. Prior to daily onset of construction activities, the construction team lead will visually inspect beach areas within 300 feet of the project area for the presence of hauled out marine mammals. If a hauled out marine mammal is observed, Fort Bragg Marine Mammal Center will be immediately notified and work will not proceed until a protection zone has been established. All work will be conducted outside of the protection zone until the hauled out mammal is gone. The 24 hour Marine Mammal Center Hotline is: 415-289-SEAL.
  - ii. Staging and equipment operation will be limited to the existing graded access road and parking area. No equipment staging or storage will occur within 50 feet of Chadbourne Gulch or its associated riparian area. Heavy equipment will not encroach northwest/upslope of existing K-Rail. No equipment operation or materials storage will occur on the beach.
  - iii. Removal of the existing utility pole will occur with hand-operated equipment (chainsaw). The pole will be cut at the base and felled in a southeasterly direction if possible. The pole will be bucked up into logs, which will be removed by hand to the truck which will remain on the road.
  - iv. Construction vehicles will be regularly checked for leaks. Fueling, lubrication, and maintenance of vehicles will occur off-site.
  - v. Vegetation removal associated with new pole placement will be limited to September 1 - February 28 to avoid the bird nesting season (March 1-August 31).

Caltrans work on this project includes placement of RSP boulders and relocation of a utility pole in order to prevent further erosion damage from vehicles on the hillside. Chadbourne Gulch and the associated riparian area are located to the south of the access driveway; however, measures are included to assure these resources are not detrimentally impacted during project activities. Additionally, there is a potential for presence of hauled out marine mammals on the beach, which could be disturbed by project activities and a potential for presence of nesting birds where vegetation will be removed to accommodate the new utility pole. Measures are included to prevent such disturbances (Condition 12). With the measures as proposed, the buffers will be adequate to protect the ESHAs. No impacts to ESHAs are expected.

References:

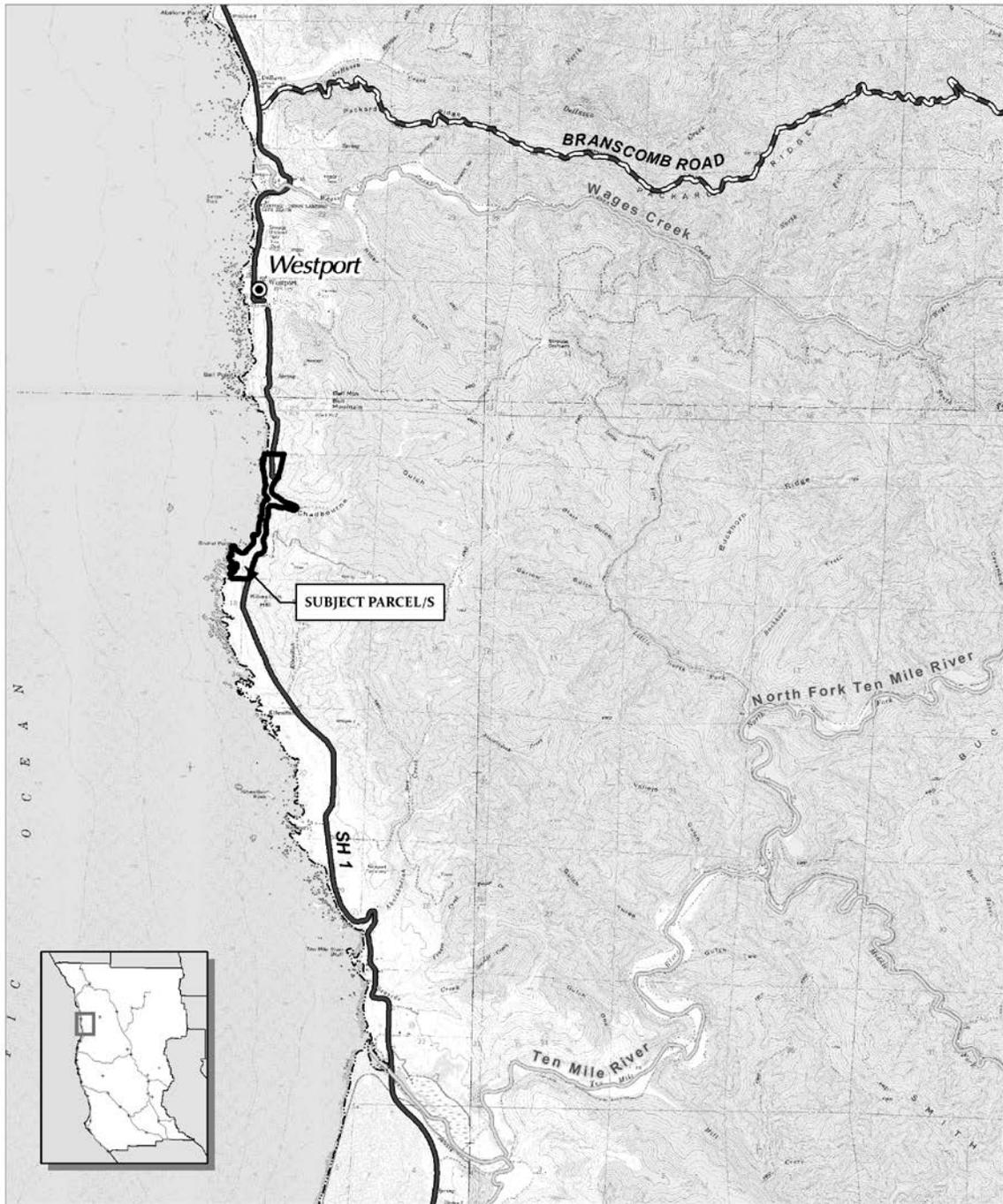
*Natural Environment Study, 01-MEN 1, Post Mile 75.43, Chadbourne RSP Boulders and Relocate Utility Pole.* September 2015. Teresa Spade, California Department of Transportation.

Chapter 2.2. Mendocino County, Planning and Building Services, Planning Division. *The County of Mendocino-General Plan.* 1991. Ukiah, CA.

*Cultural Resources Clearance Memo for the Installation of Archaeological Site Protection Measures on Route 1 at Chadbourne Gulch, Mendocino County.* August 25, 2015. Timothy Keefe, California Department of Transportation.

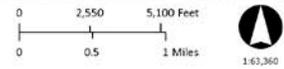
*ESHA Assessment/Reduced Buffer Analysis for the Chadbourne Gulch State Route 1, Post Mile 75.43.* October 5, 2015. Spade, Wilson, Pommerenck, California Department of Transportation.

*Scenic Resource Evaluation and Visual Impact Assessment.* September 16, 2015. Logan Moore, California Department of Transportation.



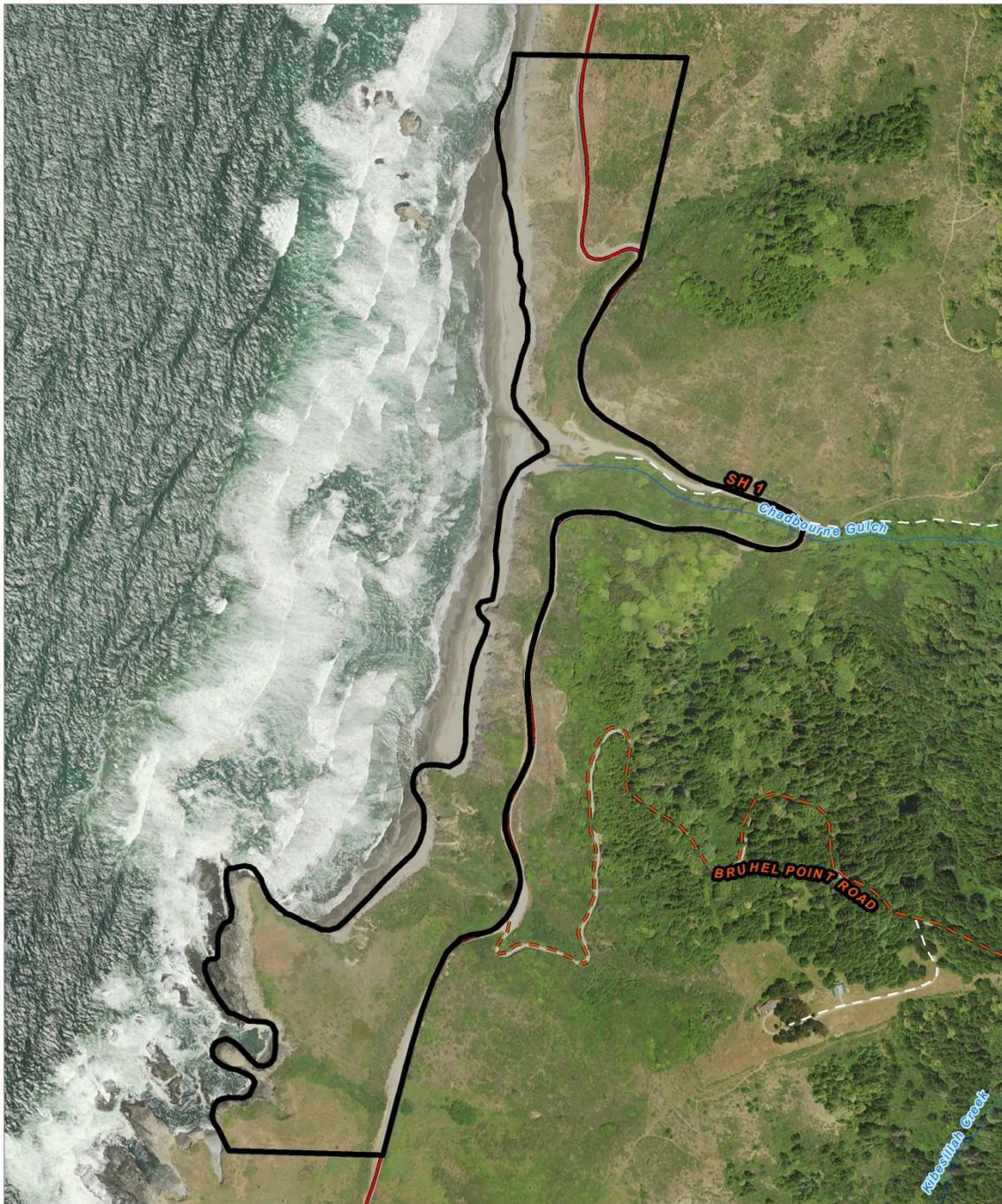
**CASE:** CDP 2015-0028  
**OWNER:** State of California  
**APN:** 015-010-31  
**APLCT:** CALTRANS  
**ADDRESS:** None Assigned, WE

-  Major Towns & Places
-  Major Roads
-  Major Rivers
-  Highways



LOCATION MAP

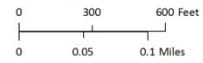
Map produced by the Mendocino County Planning & Building Services, December, 2015  
 All spatial data is approximate. Map provided without warranty of any kind.



**CASE: CDP 2015-0028**  
**OWNER: State of California**  
**APN: 015-010-31**  
**APLCT: CALTRANS**  
**ADDRESS: None Assigned, WE**

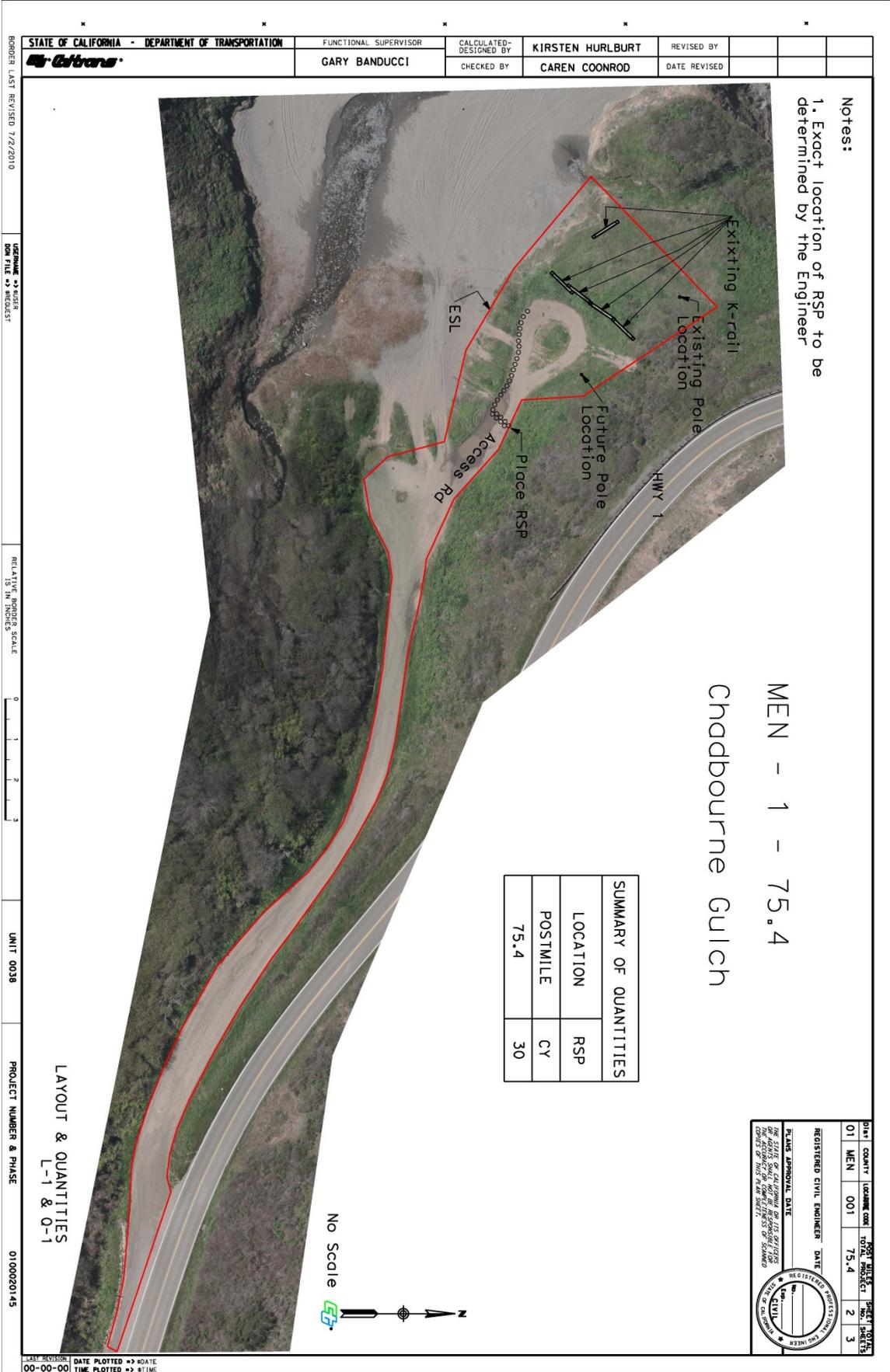
-  Named Rivers
-  Public Roads
-  Private Roads

Driveways/Unnamed Roads



2014 NAIP IMAGERY

Map produced by the Mendocino County Planning & Building Services, December, 2015  
All spatial data is approximate. Map provided without warranty of any kind.



Notes:  
1. Exact location of RSP to be determined by the Engineer

MEN - 1 - 75.4  
Chadbourne Gulch

SUMMARY OF QUANTITIES		
LOCATION	RSP	
POSTMILE	CY	30
75.4		

DIS#	COUNTY	LOCALING CODE	TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
01	MEN	001	75.4	2	3

REGISTERED CIVIL ENGINEER DATE

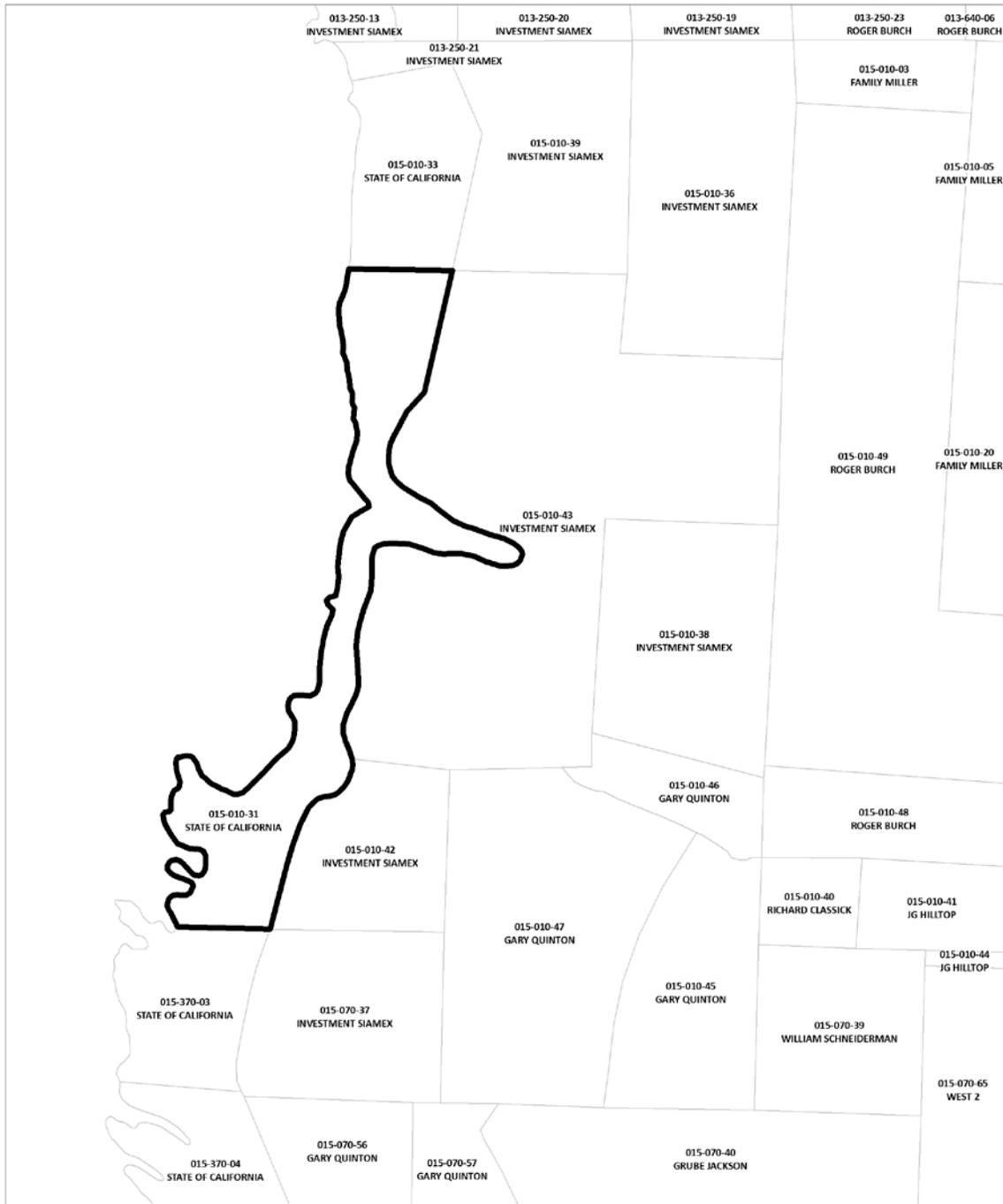
REGISTERED PROFESSIONAL ENGINEER

PLANS APPROVAL DATE

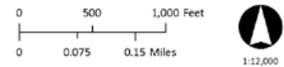
THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION  
THE REGISTERED CIVIL ENGINEER'S SEAL AND SIGNATURE  
MUST BE PLACED ON THIS PLAN SHEET.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	CALCULATED-DESIGNED BY	KIRSTEN HURLBURT	REVISED BY	
	GARY BANDUCCI	CHECKED BY	CAREN COONROD	DATE REVISED	

RDORR LAST REVISED 7/2/2010  
 USGS 2.5' 15" 15' IN INCHES SCALE  
 UNIT 0038  
 PROJECT NUMBER & PHASE 010020145  
 LAYOUT & QUANTITIES L-1 & 0-1  
 DATE PLOTTED 00-00-00  
 TIME PLOTTED 00:00

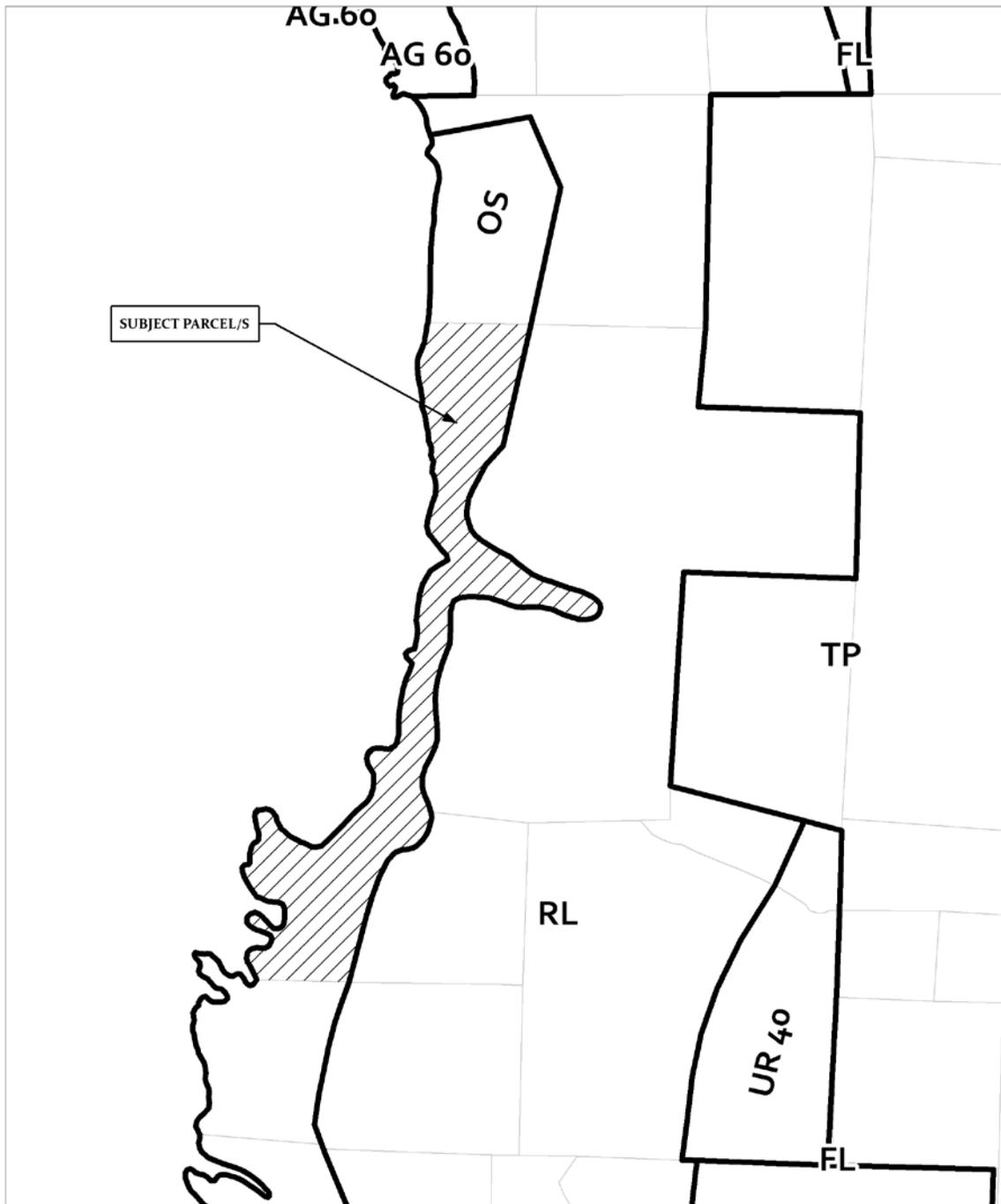


CASE: CDP 2015-0028  
OWNER: State of California  
APN: 015-010-31  
APLCT: CALTRANS  
ADDRESS: None Assigned, WE



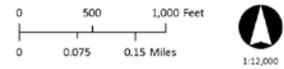
ADJACENT PARCELS

Map produced by the Mendocino County Planning & Building Services, December, 2015  
All spatial data is approximate. Map provided without warranty of any kind.



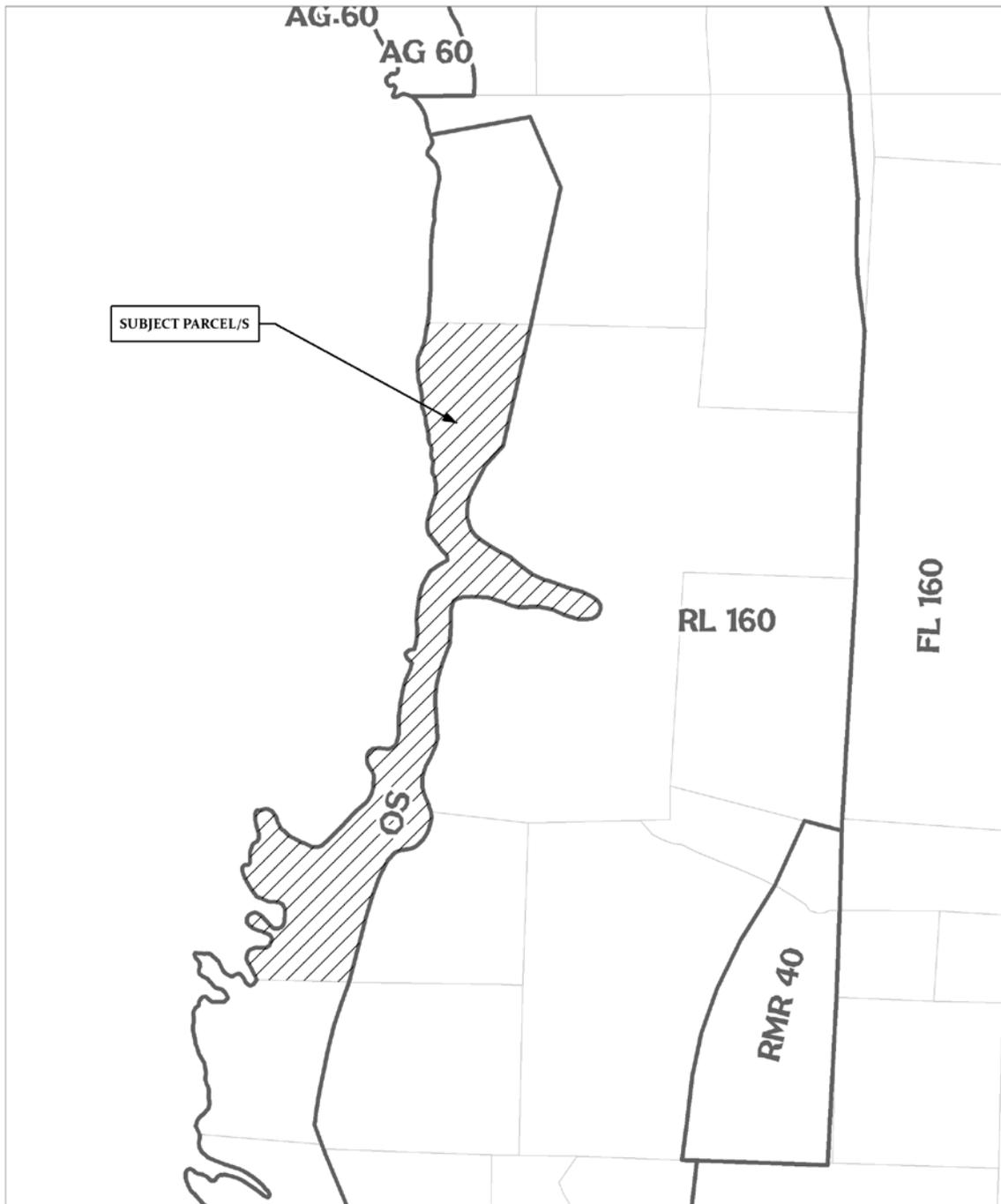
CASE: CDP 2015-0028  
OWNER: State of California  
APN: 015-010-31  
APLCT: CALTRANS  
ADDRESS: None Assigned, WE

 Zoning Master



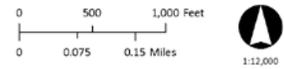
ZONING DISPLAY MAP

Map produced by the Mendocino County Planning & Building Services, December, 2015  
All spatial data is approximate. Map provided without warranty of any kind.



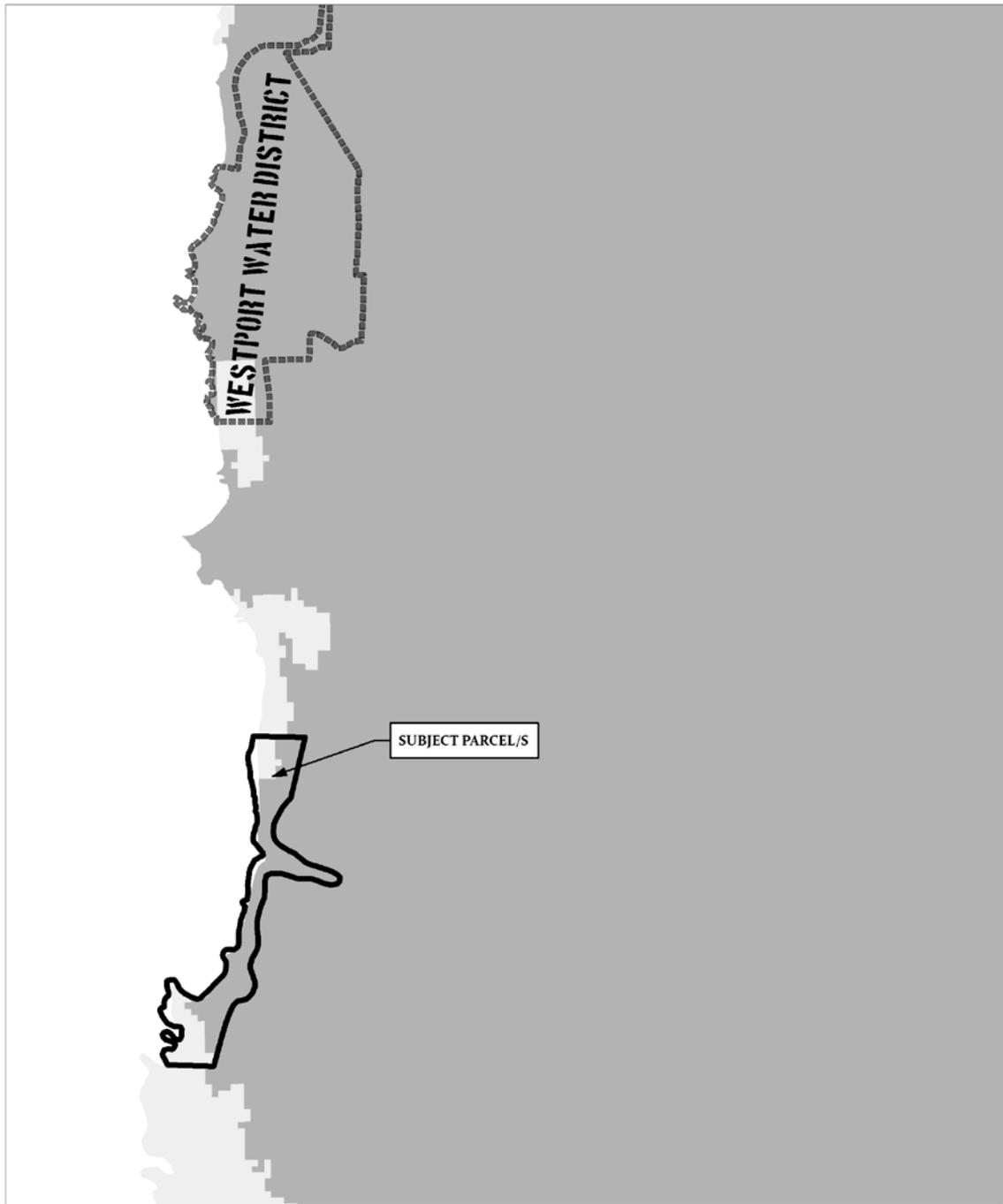
CASE: CDP 2015-0028  
OWNER: State of California  
APN: 015-010-31  
APLCT: CALTRANS  
ADDRESS: None Assigned, WE

 General Plan Master



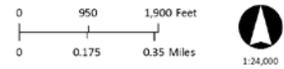
GENERAL PLAN CLASSIFICATIONS

Map produced by the Mendocino County Planning & Building Services, December, 2015  
All spatial data is approximate. Map provided without warranty of any kind.



CASE: CDP 2015-0028  
OWNER: State of California  
APN: 015-010-31  
APLCT: CALTRANS  
ADDRESS: None Assigned, WE

-  County Fire Districts
-  High Fire Hazard
-  Moderate Fire Hazard



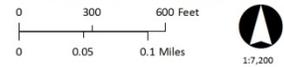
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
STATE RESPONSIBILITY AREA

Map produced by the Mendocino County Planning & Building Services, December, 2015  
All spatial data is approximate. Map provided without warranty of any kind.



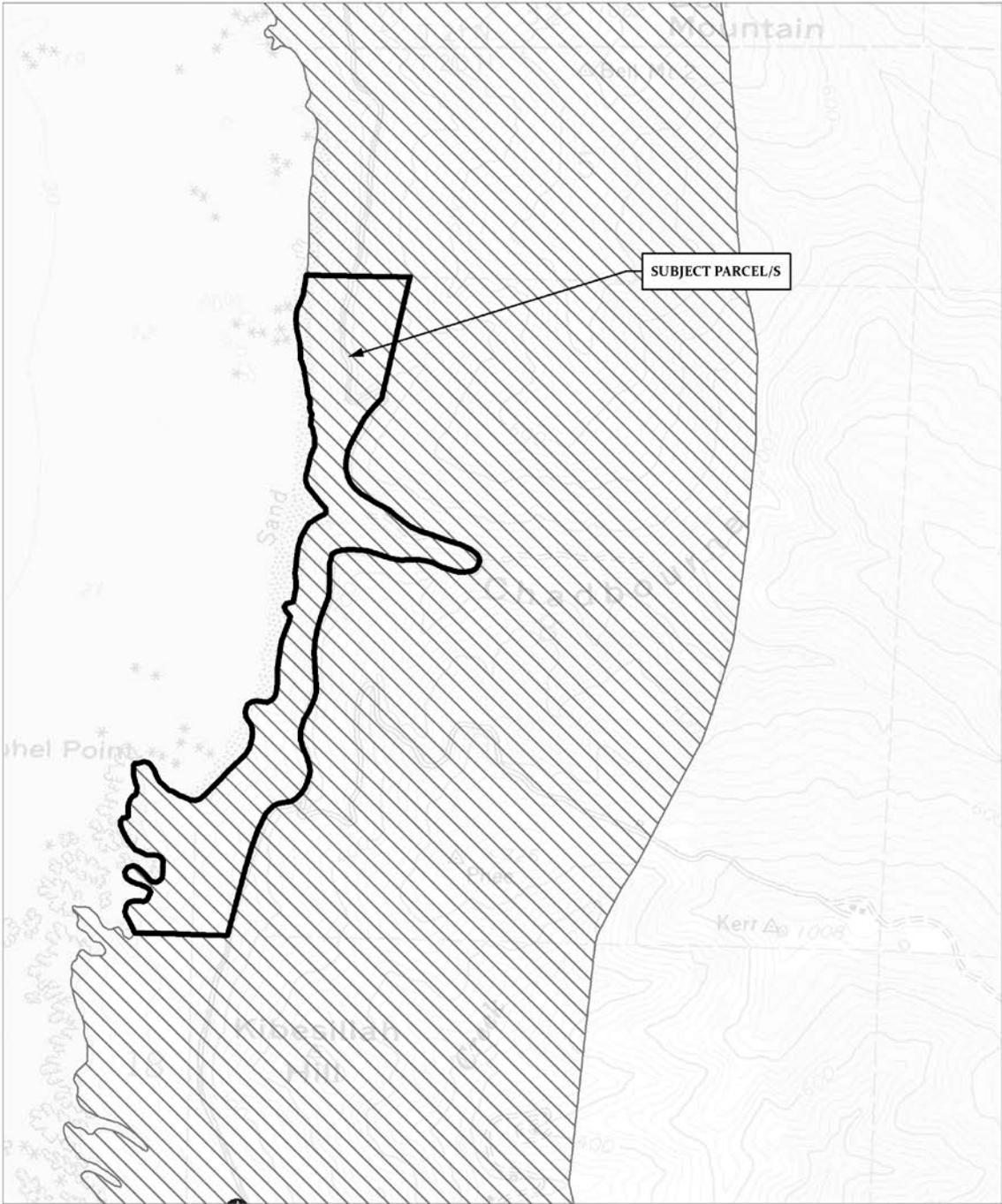
CASE: CDP 2015-0028  
OWNER: State of California  
APN: 015-010-31  
APLCT: CALTRANS  
ADDRESS: None Assigned, WE

 Flood Zone  
 Named Rivers



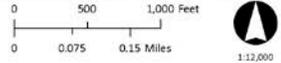
FEMA FLOOD ZONE  
NFIP MAPS, JUNE 2nd, 2011

Map produced by the Mendocino County Planning & Building Services, December, 2015  
All spatial data is approximate. Map provided without warranty of any kind.



CASE: CDP 2015-0028  
OWNER: State of California  
APN: 015-010-31  
APLCT: CALTRANS  
ADDRESS: None Assigned, WE

 Highly Scenic Area



HIGHLY SCENIC & TREE REMOVAL AREAS

Map produced by the Mendocino County Planning & Building Services, December, 2015  
All spatial data is approximate. Map provided without warranty of any kind.

***Chadbourne RSP Boulders and Relocate Utility Pole NES (MI)***

**Natural Environment Study**  
(Minimal Impacts)

01-MEN 1, Post Mile 75.43

EA 494301

**September 2015**

STATE OF CALIFORNIA  
Department of Transportation

Prepared By:  Date: Sept 24, 2015  
Teresa Spade, Associate Environmental Planner (Natural Sciences)  
530-741-4577  
Environmental Management Branch, M2  
District 3/ North Region/ California Department of Transportation

Recommended  
for Approval By:  Date: September 24, 2015  
Sean Marquis, Associate Environmental Planner (Natural Sciences)  
530-741-4578  
Environmental Management Branch M-2  
District 3/ North Region/ California Department of Transportation

Approved By:  Date: 9/25/15  
Adele Pommerenck, Senior Environmental Planner  
530-741-4215  
Environmental Management Branch, M2  
District 3/ North Region/ California Department of Transportation



## 1. Introduction

---

The proposed project is located in Mendocino County, on State Route 1, near Post Mile 75.43 (Figures 1 and 2).

The California Department of Transportation (Caltrans) proposes to place 1-ton rock slope protection boulders and relocate an existing utility pole on State Route 1 at post mile 75.43 in Mendocino County. All work will occur within the existing Caltrans right of way. Before the start of construction, the existing utility pole will be cut to ground height and hand carried out of the site, and a new pole will be placed.

Scope of Work:

- Relocate existing utility pole.
- Place 1-ton rock slope protection boulders.

Staging will be located on the existing Chadbourne Gulch Beach access road. Construction will have a duration of approximately 5 working days. Construction is scheduled for 2016.

The purpose of this project is to fulfill conditions of an Emergency Coastal Development Permit issued to Caltrans in December 2005. An existing hillside was being eroded by vehicle use, so temporary railing (Type K) was placed around a portion of the site. This project will place 1-ton rock slope protection boulders on the south side of the upper access road as shown in Figure 2, in order to prevent future vehicle access to areas where erosion is a problem. A utility pole will also be relocated.

## 2. Study Methods

---

### 2.1 Records Review

Prior to initial survey efforts, existing records of special-status plant and wildlife species occurrences were consulted to determine which special-status species have the potential to occur in the project area. Determinations for potential suitable habitat are based on known reported occurrence locations and historical habitat range information. The following sources were consulted:

- On-line California Natural Diversity Data Base (CNDDDB) and Spotted Owl Data Viewer (California Department of Fish and Wildlife 2013, updated search 2015).
- California Native Plant Society (CNPS) Electronic Inventory (CNPS 2011, updated 2015) occurrence records for a 9-quadrangle search around the Inglenook U.S. Geological Survey (USGS) 7.5 minute quadrangle
- U.S. Fish and Wildlife Service (FWS) species list for the Inglenook U.S. Geological Survey (USGS) 7.5 minute quadrangle (July 2013, updated 2015).
- Aerial photographs and topographic maps were reviewed to establish a baseline evaluation of habitat for listed species.

## 2.2. Botanical Surveys

California Department of Fish and Wildlife protocol floristic surveys to determine the presence of sensitive plants were conducted by Caltrans Environmental Staff Biologist Jim McIntosh on May 4, and July 7, 2011, and by Caltrans Environmental Staff Biologists Sean Marquis and Lori McIntosh on June 23, 2015. The surveys were timed to coincide with the blooming periods of special-status plants that have the potential to occur in the area. In addition to surveying for special-status plants, an inventory of all plant species present at the site was recorded. The area was thoroughly walked and all plant species observed were identified and recorded during each of the plant surveys.

## 2.3. Wildlife Surveys

Initial habitat assessments for special-status animals were conducted by Caltrans Environmental Staff biologist Lisa Embree on May 4 and July 7, 2011. Protocol level surveys for special-status wildlife species were not conducted.

## 3. Environmental Setting and Vegetation Communities

---

The project site is located on the Inglenook topographic 7.5 minute quadrangle; T 20N, R17W, Section 8.

The work will be conducted at the end of a dirt road that provides the public with access to the Pacific Ocean. Repeated use by the public has resulted in an informal parking area at the end of the road. The site is located on a southwest facing slope just beyond the parking area, approximately 75 feet from Route 1 and 250 feet from the ocean.

The site is located within Coyote Brush Scrub Alliance with coyote brush (*Baccharis pilularis*) being the dominant species. Other species in this plant community include monkeyflower (*Mimulus aurantiacus*), phacelia (*Phacelia nemoralis* ssp. *nemoralis*), California blackberry (*Rubus ursinus*) and vetch (*Vicia gigantea*). This plant community was identified following the vegetation classification used in A Manual of California Vegetation, 2nd edition (Sawyer et al. 2009), and the current California Department of Fish and Wildlife's Vegetation Classification and Mapping Program (List of California Natural Communities, California Department of Fish and Game 2009a, 2010).

Ruderal vegetation occurs on either side of the access road and includes Himalayan blackberry (*Rubus armeniacus*), sweet vernal grass (*Anthoxanthum odoratum*), field mustard (*Brassica rapa*), and greater periwinkle (*Vinca major*).

Chadbourne Gulch runs parallel to, and is located approximately 20 feet south of, the access road.

Riparian species associated with Chadbourne Gulch include tree species such as red alder (*Alnus rubra*) and arrow willow (*Salix lasiolepis*). Giant horsetail (*Equisetum telmateia* ssp. *braunii*), red elderberry (*Sambucus racemosa* var. *racemosa*), and California figwort (*Scrophularia californica* ssp. *californica*) were also observed.

The beach is sparsely vegetated and heavily used by the public for recreation. Vegetation within the beach area includes beach bur (*Ambrosia chamissonis*), sea rocket (*Cakile* sp.) and grasses such as American dune grass (*Elymus mollis*).

The use by the public has played a large part in the degradation of the area adjacent to the access road and parking area. A considerable amount of trash was seen during both surveys. In addition, evidence of motorcycles being driven onto the slopes adjacent to the project site was seen.

## 4. Results

---

### 4.1. Plant Species Observed

A list of plant species observed is provided in Table 1. No sensitive plant species were observed during the field reviews.

### 4.2. Wildlife Species Observed

A list of wildlife species observed is provided in Table 2. No sensitive wildlife species were detected during any of the field reviews. According to CNDDDB information, the following species were detected within one mile of the project site:

Pacific tailed frog (*Ascaphus truei*), State Species of Special Concern

Location: Chadbourne Gulch near Route 1, approximately 900 feet from project site

Date of observation: 1970

Preferred Habitat: Cold, clear, rocky streams in wet forests. A rocky streambed is necessary for cover for adults, eggs, and larvae.

Southern torrent salamander (*Rhyacotriton variegates*), State Species of Special Concern

Location: Chadbourne Gulch, approximately ½ mile from project site

Date of observation: 1995

Preferred Habitat: Shallow, cold, clear, well-shaded streams, waterfalls and seepages, particularly those running through talus and under rocks all year, in mature to old-growth forests. Occasionally found in riparian vegetation adjacent to water, but usually found in contact with water

Although not observed during the field surveys and not listed on any of the record searches, Pacific harbor seal (*Phoca vitulina*) and California sea lion (*Zalophus californianus*) could come onto the beach adjacent to the project site to ‘haul out.’ The act of hauling out refers to pinnipeds temporarily leaving the water between periods of foraging activity for sites on land. Pacific harbor seals and California sea lions are protected under the Marine Mammal Protection Act, under which it is illegal to “take” a marine mammal without prior authorization from NOAA Fisheries. Take is defined as harassing, hunting, capturing, killing, or attempting to harass, hunt, capture, or kill any marine mammal. Harassment is defined as any act of pursuit, torment, or annoyance that has the potential to injure a marine mammal in the wild, or has the potential to disturb a marine mammal in the wild by causing

disruption of behavioral patterns, including but not limited to migration, breathing, nursing, breeding, feeding, or sheltering.

## 5. Project Impacts

---

The project will have no direct or indirect effect on any sensitive plant species, sensitive habitat, or critical habitat. The project is not expected to result in effects to either Pacific tailed frog or southern torrent salamander because Chadbourne Gulch, where they would be found if present, will not be affected during construction.

Although no equipment will be operating on the beach, there is a chance the project could result in noise or other indirect disturbance to marine mammals that could be hauled out on the beach. The beach is located approximately 35 feet from the area of impact at the closest point. Measures to minimize harm to marine mammals are described below.

The utility pole will be relocated to another portion of the slope covered by Coyote brush scrub. Coyote brush scrub is not considered a rare or imperiled vegetation type (CDFW 2015). In addition, impacts will be minimized as much as possible, particularly since equipment will remain on the graded accessway, outside of the coastal scrub.

## 6. Minimization Measures

---

Minimization measures include:

- Prior to daily onset of construction activities, the construction team lead will visually inspect beach areas within 300 feet of the project area for the presence of hauled out marine mammals. If a hauled out marine mammal is observed, the Fort Bragg Marine Mammal Center will be immediately notified and work will not proceed until a protection zone has been established. All work will be conducted outside of the protection zone until the hauled out mammal is gone. The 24 hour Marine Mammal Center Hotline is: 415.289.SEAL.
- Staging and equipment operation will be limited to the existing graded access road and parking area. No equipment staging or storage will occur within 50 feet of Chadbourne Gulch or its associated riparian area. Heavy equipment will not encroach northwest/upslope of existing K-Rail. No equipment operation or materials storage will occur on the beach.
- Removal of the existing utility pole will occur with hand operated equipment (chainsaw). The pole will be cut at the base and felled in a southeasterly direction if possible. The pole will be bucked up into logs, which will be removed by hand to the truck which will remain on the road.
- Construction vehicles will be regularly checked for leaks. Fueling, lubrication, and maintenance of vehicles will occur off-site.

- Vegetation removal associated with new pole placement will be limited to September 1-February 28 to avoid the bird nesting season (March 1-August 31)

## 7. Permits Required

---

The project will not occur within any waters of the US or State; thus permits are not necessary. No state or federally listed species will be affected; thus endangered species consultations are not required.

The project is located in the Coastal Zone and will require a Coastal Development Permit.

## 8. References

---

CDFW 2013, 2015. California Department of Fish and Wildlife, Rarefind 3 & Rarefind 5 computer program. California Natural Diversity Database Program, Sacramento, CA. January 2013, September 2015.

CDFW 2009a, 2010. California Department of Fish and Wildlife. Natural Communities List. On-line at: [http://www.dfg.ca.gov/biogeodata/vegcamp/natural\\_communities.asp](http://www.dfg.ca.gov/biogeodata/vegcamp/natural_communities.asp).

CNPS 2011, 2015. California Native Plant Society, Inventory of Rare and Endangered Plants of California (online edition, v7-06b). Sacramento, CA. March, 2011 and September 2015. On-line at: <http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi>

Sawyer, J.O., T. Keeler-Wolf, J.M. Evens. 2009. Manual of California Vegetation. Second Edition. California Plant Native Society Press, Sacramento, CA.

U.S. Fish and Wildlife Service. 2013. U. S. Fish and Wildlife Service Species List for the Inglenook quadrangle. January 2013 and September 2015.

## 9. Figures and Tables

---

Figure 1 Location Map

Figure 2 Vicinity Map

Table 1 Plant Species Observed

Table 2 Wildlife Species Observed

Figure 1 Project Location  
Men 1, Post Mile 75.0, EA 49430



Figure 2 Project Vicinity  
Men 1, Post Mile 75.0, EA 49430



0 0.0125 0.025 0.05 Miles

Table 1 Plant Species Observed  
 EA 494301, MEN 1 PM 75  
 Survey Dates: May 4, July 7, 2011, June 23, 2015  
 Surveys Conducted by Jim McIntosh, Sean Marquis, Lori McIntosh

<u>Scientific Name</u>	<u>Common Name</u>
<b><u>TREES</u></b>	
<i>Alnus rubra</i>	RED ALDER
<i>Salix lasiolepis</i>	ARROYO WILLOW
<i>Salix sitchensis</i>	WILLOW
<b><u>SHRUBS</u></b>	
<i>Atherium felix-femina var. cyclosorum</i>	LADY FERN
<i>Baccharis pilularis</i>	COYOTE BRUSH
<i>Polystichum munitum</i>	WESTERN SWORD FERN
<i>Pteridium aquilinum var. pubescens</i>	BRACKEN, BRAKE
<i>Rosa sp.</i>	ROSE
<i>Rubus armeniacus</i>	HIMALAYAN BLACKBERRY
<i>Rubus ursinus</i>	CALIFORNIA BLACKBERRY
<i>Sambucus racemosa</i>	RED ELDERBERRY
<i>Toxicodendron diversilobum</i>	WESTERN POISON OAK
<b><u>HERBS</u></b>	
<i>Abronia latifolia</i>	YELLOW SAND VERBENA
<i>Achillea millefolium</i>	YARROW, MILFOIL
<i>Ambrosia chamissonis</i>	BEACH BUR
<i>Anagallis arvensis</i>	SCARLET PIMPERNEL
<i>Anaphalis margaritacea</i>	PEARLY EVERLASTING
<i>Angelica hendersonii</i>	ANGELICA
<i>Anthoxanthum odoratum</i>	SWEET VERNAL GRASS
<i>Artemesia douglasiana</i>	MUGWORT
<i>Avena barbata</i>	SLENDER WILD OAT
<i>Bellis perennis</i>	ENGLISH DAISY
<i>Brassica rapa</i>	TURNIP, FIELD MUSTARD
<i>Briza maxima</i>	QUAKING GRASS
<i>Briza minor</i>	SMALL QUAKING GRASS
<i>Bromus diandrus</i>	RIPGUT GRASS
<i>Bromus hordeaceus</i>	BROME
<i>Bromus stamineus</i>	BROME
<i>Calystegia purpurata ssp. purpurata</i>	MORNING GLORY
<i>Carduus pycnocephalus</i>	ITALIAN THISTLE
<i>Carpobrotus sp.</i>	ICEPLANT

MEN 1 PM 75 continued

**HERBS**

<i>Cakile edentula</i>	SEA ROCKET
<i>Cerastium glomeratum</i>	MOUSE-EAR CHICKWEED
<i>Chamomillia suaveolens</i>	PINEAPPLE WEED
<i>Conium maculatum</i>	POISON HEMLOCK
<i>Cortaderia jubata</i>	CORTADERIA
<i>Cynossorus echinatus</i>	HEDGEHOG DOGTAIL
<i>Dactylis glomerata</i>	ORCHARD GRASS
<i>Delairea odorata</i>	GERMAN IVY
<i>Dudleya sp.</i>	DUDLEYA
<i>Elymus glaucus ssp. glaucus</i>	BLUE WILDRYE
<i>Elymus mollis</i>	DUNE WILDRYE
<i>Elymus Xvancouverensis</i>	LEYMUS
<i>Equisetum telmateia var. braunii</i>	GIANT HORSETAIL
<i>Erigeron glaucus</i>	SEASIDE DAISY
<i>Eriophyllum staechadifolium</i>	SEASIDE WOOLY SUNFLOWER
<i>Erodium cicutarium</i>	STORKSBILL, FILAREE
<i>Eschscholzia californica</i>	CALIFORNIA POPPY
<i>Festuca arundinacea</i>	TALL FESCUE
<i>Galium sp.</i>	BEDSTRAW
<i>Geranium dissectum</i>	CRANESBILL, GERANIUM
<i>Gnaphalium luteo-album</i>	GNAPHALIUM
<i>Gnaphalium stramineum</i>	GNAPHALIUM
<i>Grindelia stricta</i>	COAST GUMPLANT
<i>Heracleum lanatum</i>	COW PARSNIP
<i>Hirschfeldia incana</i>	HIRSCHFELDIA
<i>Holcus lanatus</i>	COMMON VELVET GRASS
<i>Hordeum marinum ssp. gussoneanum</i>	MEDITERANEAN BARLEY
<i>Hypochaeris radicata</i>	HAIRY CAT'S EAR
<i>Lavatera cretica</i>	LAVATERA
<i>Lepidium nitidum</i>	PEPPERGRASS, PEPPERWORT
<i>Lolium multiflorum</i>	ITALIAN RYEGRASS
<i>Lupinus succulentus</i>	LUPINE
<i>Marah oreganus</i>	COAST MAN ROOT
<i>Medicago polymorpha</i>	ALFALFA
<i>Melilotus indicus</i>	MELILOTUS
<i>Melissa officianalis</i>	MELISSA
<i>Mimulus aurantiacus</i>	MONKEYFLOWER
<i>Oenanthe sarmentosa</i>	OENANTHE
<i>Petasites frigidus var. palmatus</i>	PETASITES
<i>Phacelia nemoralis ssp. nemoralis</i>	PHACELIA

MEN 1 PM 75 continued  
HERBS

<i>Phalaris aquatica</i>	CANARY GRASS, HARDING GRASS
<i>Plantago coronopus</i>	CUT-LEAF PLANTAIN
<i>Plantago lanceolata</i>	ENGLISH PLANTAIN
<i>Plantago major</i>	PLANTAGO
<i>Poa annua</i>	ANNUAL BLUEGRASS
<i>Poa trivialis</i>	POA
<i>Polygonum arenastrum</i>	COMMON KNOTWEED
<i>Potentilla anserina</i>	SILVERWEED CINQUEFOIL
<i>Raphanus sativus</i>	RADISH
<i>Rumex acetosella</i>	SHEEP SORREL
<i>Rumex crispus</i>	RUMEX
<i>Scirpus microcarpus</i>	SCIRPUS
<i>Scrophularia californica</i> ssp. <i>californica</i>	CALIFORNIA FIGWORT
<i>Sedum</i> sp.	STONECROP
<i>Silybum maritimum</i>	MILK THISTLE
<i>Sisyrinchium californicum</i>	GOLDEN-EYE GRASS
<i>Solanum douglasii</i>	NIGHTSHADE
<i>Sonchus oleraceus</i>	COMMON SOW THISTLE
<i>Spergularia rubra</i>	SAND-SPURRY
<i>Stachys ajugoides</i>	HEDGE NETTLE
<i>Tetragonia tetragonoides</i>	NEW ZEALAND SPINACH
<i>Trifolium dubium</i>	LITTLE HOP CLOVER
<i>Urtica dioica</i>	STINGING NETTLE
<i>Vicia gigantea</i>	VETCH
<i>Vicia sativa</i> ssp. <i>sativa</i>	COMMON VETCH, SPRING VETCH
<i>Vinca major</i>	GREATER PERIWINKLE
<i>Vulpia bromoides</i>	VULPIA

Table 2 Wildlife Species Observed  
EA 49430, Men 1, PM 75.0

**Birds**

Western gull, *Larus occidentalis*  
Turkey vulture, *Cathartes aura*  
Osprey, *Pandion haliaetus*  
Common raven, *Corvus corax*  
Winter wren, *Troglodytes troglodytes*  
Wrentit, *Chamaea fasciata*  
Wilson warbler, *Wilsonia pusilla*  
Swainson's thrush, *Catharus ustulatus*  
Orange Crowned warbler, *Vermivora celata*  
Song sparrow, *Melospiza melodia*  
Brown Headed Cowbird, *Molothrus ater*  
Purple finch, *Carpodacus purpureus*  
American goldfinch, *Spinus tristis*

**ESHA ASSESSMENT AND  
REDUCED BUFFER ANALYSIS  
FOR THE CHADBOURNE GULCH  
STATE ROUTE 1, POST MILE 75.43  
IN MENDOCINO COUNTY  
EA 01-494301**

October 5, 2015

Contact Information:

Teresa Spade, Project Biologist (530) 741-4577  
Dotrik Wilson, Environmental Coordinator (530) 741-4491  
Adele Pommerenck, Environmental Branch Chief (530) 741-4215

**Purpose**

This Environmentally Sensitive Habitat Area (ESHA) analysis was conducted as a condition of the Mendocino County Coastal Zoning Code to protect coastal resources within the Coastal Zone in Mendocino County. The purpose of the study was to describe the existing vegetation communities, survey for special-status plant species and wetlands, and recommend appropriate mitigation measures to reduce the impacts to sensitive habitat areas, which are considered ESHAs under the Mendocino County General Plan, Coastal Element (Mendocino County 1991).

The conclusions regarding ESHAs contained within this report are based upon field observations made by biologists on May 4 and July 7, 2011 and June 23, 2015.

**Project Site Description**

The project is located adjacent to State Route (SR) 1 at Post Mile (PM) 75.4, approximately one mile south of the town of Westport in Mendocino County. It can be found on the Inglenook 7.5-minute U.S. Geological Survey (USGS) quadrangle, Township 20N, Range 17W, Section 8 (Mt. Diablo Base and Meridian).

Studies were done within the area extending 100 feet around the project's Environmental Study Limits (ESL) to satisfy the conditions of the Coastal Element of the Mendocino County General Plan. Three areas were identified that may meet the definition of "Environmentally Sensitive Habitat Areas" as detailed in the Coastal Element of the Mendocino County General Plan (see Mendocino County Code sections 20.496 & 20.532.060):

- Chadbourne Gulch
- Riparian vegetation at Chadbourne Gulch
- Potential marine mammal haul-out area

Maps showing the three ESHAs can be found as **Attachment 1**. Photographs of the ESL are provided in **Attachment 2**. The Natural Environment Study can be found in **Attachment 3**.

**Description of Work**

The California Department of Transportation (Caltrans) proposes to place 1-ton boulders and relocate an existing utility pole at the Chadbourne Gulch Beach access road adjacent to State Route 1 at post mile 75.4 in Mendocino County. All work will occur within the existing Caltrans right-of-way.

Vegetation removal may be required; however, no tree removal or access to the beach will be needed. Before the start of construction, the existing utility pole will be cut to ground height and hand-carried out of the site and a new pole will be placed adjacent to the access road.

**Scope of Work:**

- Relocate existing utility pole.
- Place 1-ton boulders.

**ESHAs, Buffers, and Potential Impacts**

Within the Mendocino County LCP, Chapter 20.496 of the coastal zoning code includes policies that apply to ESHAs. Buffer areas are described and defined in Section 20.496.020 as an area that shall be established adjacent to all ESHAs. The purpose of a buffer area shall be to provide for a sufficient area to protect the ESHA from significant degradation resulting from future developments. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Wildlife (if applicable), and County Planning Staff, that 100 feet is not necessary to protect the resources of that particular habitat area from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the ESHAs and shall not be less than 50-feet in width.

Development would occur within 50 feet of the beach. In some cases, development is allowable within the minimum 50-foot buffer area. The potential marine mammal haul out beach could be encompassed under the ESHA category listed in 20.496.050: Other Resource Areas. Development within Other Resource Areas is allowable per Section 20.496.050 of Mendocino County Coastal Zoning Code as follows:

***Development of Resource Areas.***

*Any development within designated resource areas shall be reviewed and established in accord with conditions which could allow some development under mitigating conditions but which assures the continued protection of the resource area.*

**ESHAs observed near the project area include:*****ESHA 1***

***Description:*** ESHA 1 is Chadbourne Gulch where it empties into the ocean. Upriver areas of Chadbourne Gulch have been previously identified as habitat areas for Pacific tailed frog (*Ascaphus truei*), and southern torrent salamander (*Rhyacotriton variegates*).

***Buffer:*** All project components, including boulder placement, and relocation of an existing

utility pole, would occur more than 100 feet from Chadbourne Gulch.

**Potential Impacts:** No impacts are expected. This is a small scale project and it is unnecessary for any project components to occur in or near the stream. Best Management Practices will be implemented to assure that the stream is not impacted by any project components such as heavy equipment disturbance or pollutant intrusion.

### **ESHA 2**

**Description:** ESHA 2 is the Red Alder Forest (*Alnus rubra* Forest Alliance G5 S4) riparian zone associated with Chadbourne Gulch. Riparian trees present include red alder (*Alnus rubra*) and arroyo willow (*Salix lasiolepis*). Giant horsetail (*Equisetum telmateia* ssp. *braunii*), red elderberry (*Sambucus racemosa* var. *racemosa*), and California figwort (*Scrophularia californica* ssp. *californica*) were also observed. As its vegetation is primarily hydrophytic, it can also be classified as a coastal (1-parameter) wetland.

**Buffer:** All project components, including boulder placement, and relocation of an existing utility pole, would occur more than 100 feet from the riparian area.

**Potential Impacts:** No impacts are expected. Best management practices will be implemented to prevent impacts to riparian vegetation from construction equipment intrusion, equipment leaks or other pollutants entering the riparian area during development activities.

### **ESHA 3**

**Description:** ESHA 3 is Blue's Beach, which may be considered a marine mammal haul-out area. Although not observed during the field surveys and not listed on any of the record searches, Pacific harbor seal (*Phoca vitulina*) and California sea lion (*Zalophus californianus*) could come onto the beach adjacent to the project site to "haul out." Pacific harbor seals and California sea lions are protected under the Marine Mammal Protection Act, under which it is illegal to "take" a marine mammal without prior authorization from NOAA Fisheries.

**Buffer:** The beach is approximately 20 feet from temporary K-rail at the closest point, and other project components, including utility pole relocation and boulder placement, would also occur within 100 feet of the beach.

**Potential Impacts:** No impacts are expected. Vehicles and materials will remain on the graveled drive/parking area and will not access potential beach haulout areas, and any limited noise related impacts will occur only after the beach area has been inspected for and found absent of marine mammals.

## **REDUCED BUFFER ANALYSIS**

The following information is a reduced buffer analysis as required by and outlined in Section 20.496.020 (a) through (k) of the Mendocino County Coastal Zoning Code.

### **Development Criteria**

**(A) Buffer Areas:** The purpose of the project is to protect coastal resources by clearly delineating the boundaries of allowable existing beach access parking area while blocking off access to upper areas where vehicles are causing erosion issues. Relocation of a utility pole is also proposed with the intent of resource protection, and K-rails, which were previously placed as

an emergency measure to prevent erosion are to be left in place. Additionally rock slope protection boulders will be placed along the south and west sides of the upper driveway in order to close it off. Rock placement and utility pole relocation work will occur at least 100 feet from Chadbourne Gulch and the associated riparian area. RSP placement work will occur within 50 feet of the beach area, which may be used as a marine mammal haul-out area, and the beach within 100 feet of the utility pole placement location.

**(1) Width:** A minimum buffer area of 50 feet is proposed for boulder placement from the stream and riparian area, and for boulder placement and utility pole removal and relocation from the beach. As outlined in the analysis below. Boulder placement will occur within 50 feet of the beach. Utility pole relocation will be more than 100 feet from the stream and riparian area, and more than 50 feet from the beach.

(a) Biological Significance of Adjacent Lands:

- a. The boulder placement would occur on the dirt parking area. Where the compacted parking area is not directly adjacent to the riparian zone, a swath of non-native vegetation is present. The non-native grassland is not considered biologically significant to the riparian area or stream. The resource area is measured from the dripline of the edge of riparian vegetation.
- b. The non-native vegetation/coyote brush scrub vegetation on the hillslope above the beach where boulder placement, utility pole relocation, and possible K-Rail removal are to occur are not considered biologically connected to the potential marine mammal haul-out area on the beach below. The resource area is measured from the edge of the sandy beach.

(b) Sensitivity of Species to Disturbance:

- a. There is a potential for presence of special status amphibians in Chadbourne Gulch and the associated riparian zone. Upriver areas of Chadbourne Gulch have been previously identified as habitat areas for Pacific tailed frog (*Ascaphus truei*), and southern torrent salamander (*Rhyacotriton variegates*). Frogs and salamanders are not expected to be found outside of the stream and associated riparian area, and are not expected to be significantly disturbed by nearby noise and activity associated with project construction.
- b. There is a potential that the sandy beach may be used by marine mammals, including special status species Pacific harbor seal (*Phoca vitulina*) and California sea lion (*Zalophus californianus*), as a haul-out area. Marine mammals within as close as 150 feet may be impacted by nearby noise and activity associated with project construction.
- c. There is a potential for presence of nesting birds, which may be nesting in riparian area trees and brush, within brushy areas of the coyote brush scrub, or less likely within rodent burrows in grasslands, or on the beach.

(c) Susceptibility of Parcel to Erosion: Equipment access will be from the existing parking area and beach. No cut and fill or grading will be needed, and no access roads will be constructed.

Although vegetation and ground disturbance will occur around the new utility pole location in order to facilitate installation, the site will be stabilized per standard BMPs immediately after disturbance. Work is not expected to change the potential for erosion at the site.

(d) **Use of Natural Topographic Features to Locate Development:** No topographic features are present between the areas of construction and ESHA areas which would be beneficial to use to buffer the development.

(e) **Use of Existing Cultural Features to Locate Buffer Zones:** Boulders are to be placed on the existing flattened, compacted dirt areas used by vehicles.

(f) **Lot Configuration and Location of Existing Development:** The development is not located in a built out subdivision and there is not a set distance to ESHAs established by previous development.

(g) **Type and Scale of Development Proposed:** The intent of the development is to provide protection to coastal resources. The development is low impact and will result in boulder placement to delineate the boundaries of the beach parking area, preventing vehicular access and potential harm to resources. The development is expected to result in a net increase in resource protection.

(2) **Configuration:** The buffer is measured from outer dripline of riparian vegetation and from the sandy boundary of the beach for potential marine mammal haul-out.

(3) **Land Division:** No new subdivision or boundary line adjustments are proposed in conjunction with this development.

(4) **Permitted Development**

- (a) The intent of the development is to protect the adjacent habitat and resources from existing vehicle-related impacts.
- (b) No other feasible site exists for protective structures. The utility pole will be relocated away from sensitive areas.
- (c) Boulders would be placed along the perimeter of the parking area and at the downslope edge of areas to be closed to vehicle traffic to best protect adjacent areas from vehicular impacts. The utility pole would be removed from an area recovering from detrimental impacts caused by vehicle access, and relocated to an area outside of ESHAs where access for regular maintenance will not be detrimental.
- (d) The project would not remove, degrade, or substantially disrupt habitat areas. The development would be compatible with the continuing functionality of ESHAs.
- (e) Riparian vegetation would not be removed, and buffer values would not be compromised.
- (f) The project has been designed with minimal impact in mind. Boulder placement is expected to result in minimal changes to bare soil, vegetation, and impervious surfaces. Boulder placement and other project components are not expected to result in dust

impacts. No wetland intrusion is expected.

- (g) No loss of riparian vegetation would result from the project.
- (h) No structures would be placed in a 100-year flood zone that would impede passage of water.
- (i) The project would maintain the hydraulic function of adjacent waters and functional capacity of adjacent habitats.
- (j) The project would not modify hydraulic conveyance.
- (k) Measures are recommended to ensure the protection of resources during construction:
  1. Prior to daily onset of construction activities, the construction team lead will visually inspect beach areas within 300 feet of the project area for the presence of hauled out marine mammals. If a hauled out marine mammal is observed, Fort Bragg Marine Mammal Center will be immediately notified and work will not proceed until a protection zone has been established. All work will be conducted outside of the protection zone until the hauled out mammal is gone. The 24 hour Marine Mammal Center Hotline is: 415-289-SEAL.
  2. Staging and equipment operation will be limited to the existing graded access road and parking area. No equipment staging or storage will occur within 50 feet of Chadbourne Gulch or its associated riparian area. Heavy equipment will not encroach northwest/upslope of existing K-Rail. No equipment operation or materials storage will occur on the beach.
  3. Removal of the existing utility pole will occur with hand-operated equipment (chainsaw). The pole will be cut at the base and felled in a southeasterly direction if possible. The pole will be bucked up into logs, which will be removed by hand to the truck which will remain on the road.
  4. Construction vehicles will be regularly checked for leaks. Fueling, lubrication, and maintenance of vehicles will occur off-site.
  5. Vegetation removal associated with new pole placement will be limited to September 1 – February 28 to avoid the bird nesting season (March 1- August 31).

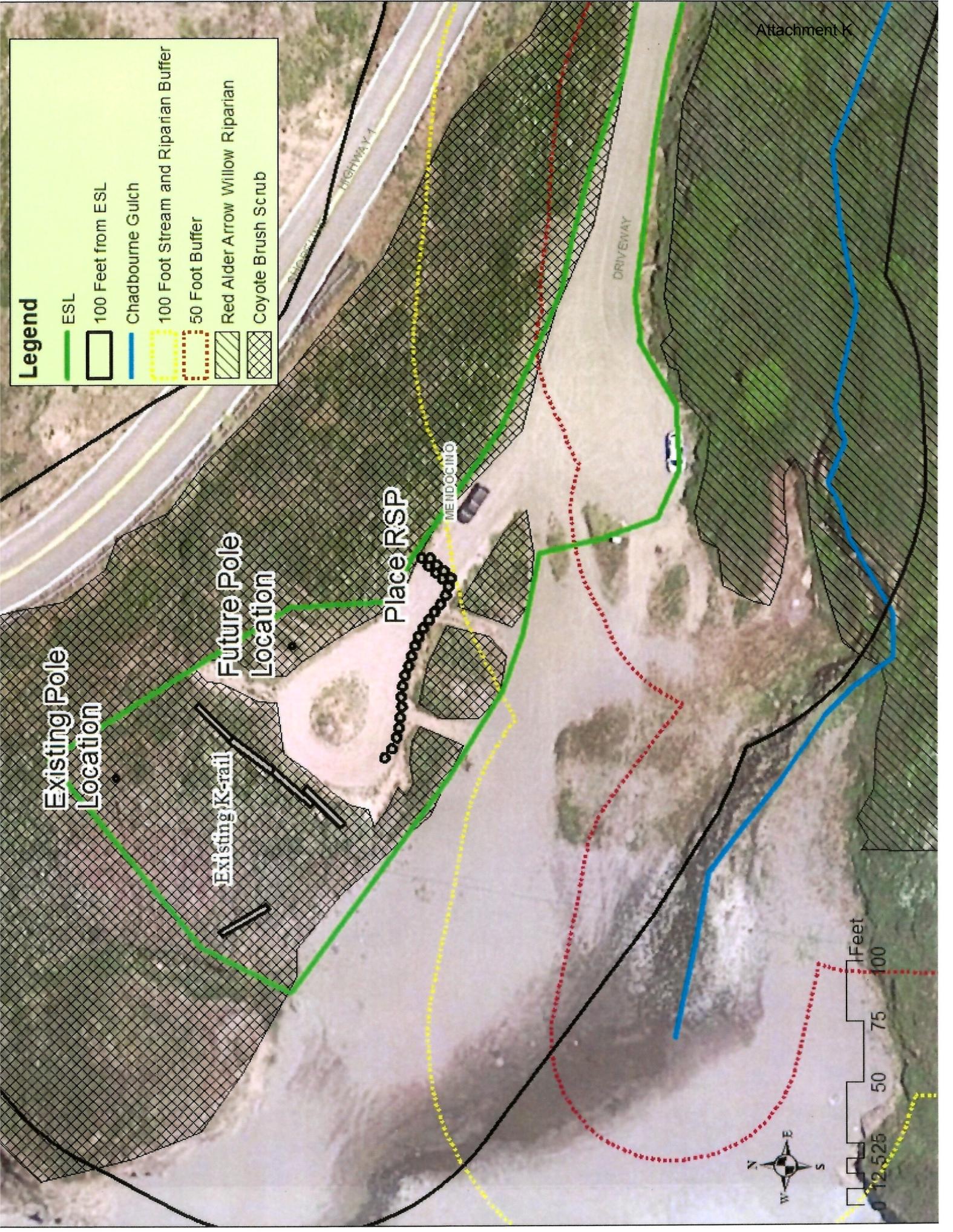
## CONCLUSION

Caltrans work on this project includes placement of RSP boulders and relocation of a utility pole in order to prevent further erosion damage from vehicles on the hillside. Chadbourne Gulch and the associated riparian area are located to the south of the access driveway, however measures are included to assure these resources are not detrimentally impacted during project activities. Additionally, there is a potential for presence of hauled out marine mammals on the beach, which could be disturbed by project activities and a potential for presence of nesting birds where vegetation will be removed to accommodate the new utility pole. Measures are included to prevent such disturbances. With the measures as proposed, the buffers will be adequate to protect the ESHAs. No impacts to ESHAs are expected.

**Attachment 1: ESHA Mapping**

**Legend**

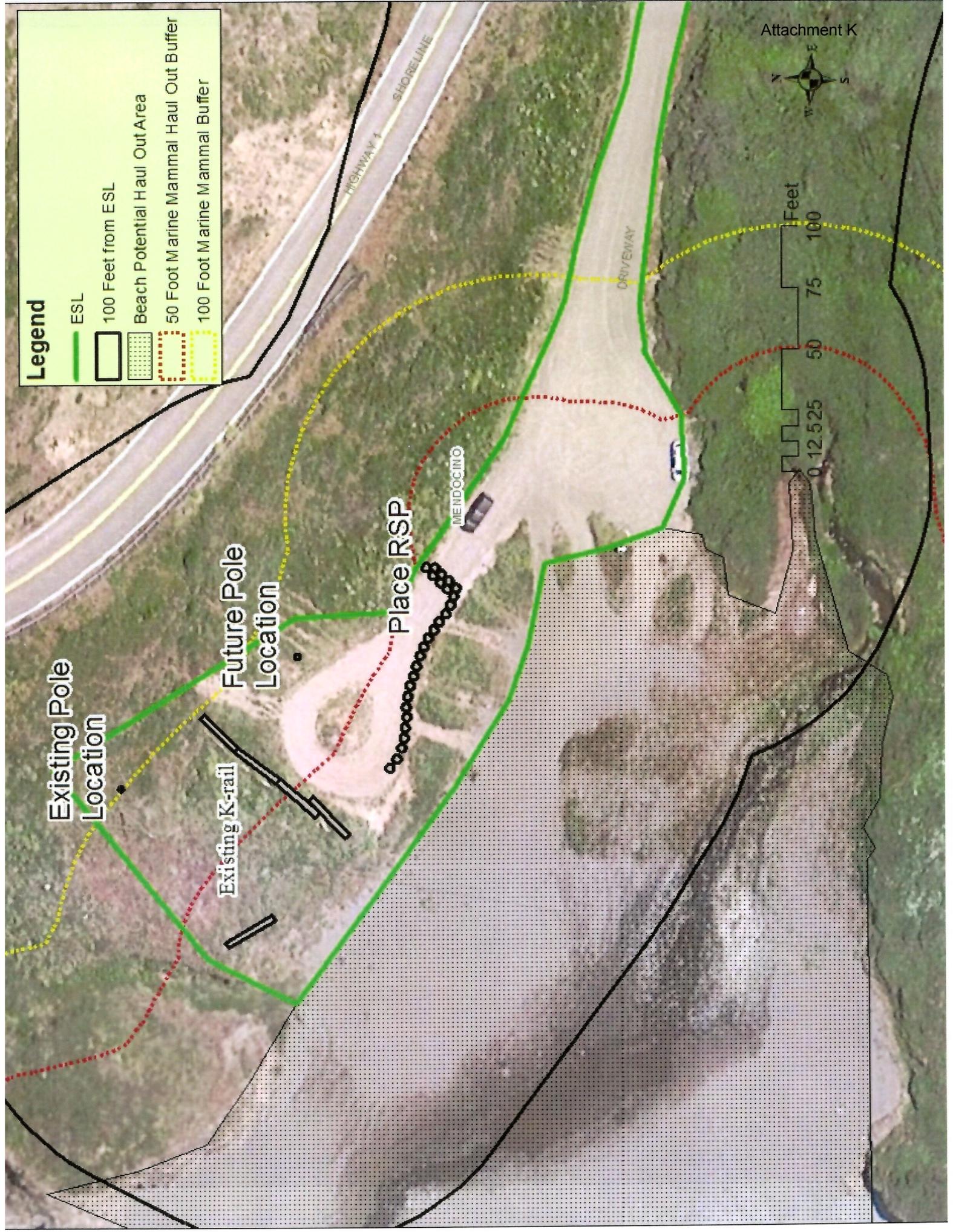
- ESL
- 100 Feet from ESL
- Chadbourne Gulch
- 100 Foot Stream and Riparian Buffer
- 50 Foot Buffer
- Red Alder Arrow Willow Riparian
- Coyote Brush Scrub





**Legend**

- ESL
- 100 Feet from ESL
- Beach Potential Haul Out Area
- 50 Foot Marine Mammal Haul Out Buffer
- 100 Foot Marine Mammal Buffer



Existing Pole Location

Existing K-rail

Future Pole Location

Place RSP

MENDOCINO

DRIVEWAY

SHORELINE  
HIGHWAY 1

Feet  
0 12.5 25 50 75 100

**Attachment 2: Photos of the Project's ESL**

ESHA ASSESSMENT/REDUCED BUFFER ANALYSIS

MEN-1 PM 75.43 EA 494301

Attachment 2



Beach area with Chadbourne Gulch outlet shown behind non-native dune mat.



Vegetation near the existing utility pole and K-rail is disturbed Coyote Brush Scrub.



Existing lower access parking to remain. Chadbourne Gulch riparian vegetation shown in background behind vehicles.



Existing upper cul-de-sac to be closed off with RSP boulders.

**Attachment 3: Natural Environment Study**

**Chadbourne RSP Boulders and Relocate Utility Pole NES (MI)**

**Natural Environment Study**  
(Minimal Impacts)

01-MEN 1, Post Mile 75.43

EA 494301

**September 2015**

STATE OF CALIFORNIA  
Department of Transportation

Prepared By:  Date: Sept 24, 2015  
Teresa Spade, Associate Environmental Planner (Natural Sciences)  
530-741-4577  
Environmental Management Branch, M2  
District 3/ North Region/ California Department of Transportation

Recommended  
for Approval By:  Date: September 24, 2015  
Sean Marquis, Associate Environmental Planner (Natural Sciences)  
530-741-4578  
Environmental Management Branch M-2  
District 3/ North Region/ California Department of Transportation

Approved By:  Date: 9/25/15  
Adele Pommerenck, Senior Environmental Planner  
530-741-4215  
Environmental Management Branch, M2  
District 3/ North Region/ California Department of Transportation



## 1. Introduction

---

The proposed project is located in Mendocino County, on State Route 1, near Post Mile 75.43 (Figures 1 and 2).

The California Department of Transportation (Caltrans) proposes to place 1-ton rock slope protection boulders and relocate an existing utility pole on State Route 1 at post mile 75.43 in Mendocino County. All work will occur within the existing Caltrans right of way. Before the start of construction, the existing utility pole will be cut to ground height and hand carried out of the site, and a new pole will be placed.

Scope of Work:

- Relocate existing utility pole.
- Place 1-ton rock slope protection boulders.

Staging will be located on the existing Chadbourne Gulch Beach access road. Construction will have a duration of approximately 5 working days. Construction is scheduled for 2016.

The purpose of this project is to fulfill conditions of an Emergency Coastal Development Permit issued to Caltrans in December 2005. An existing hillside was being eroded by vehicle use, so temporary railing (Type K) was placed around a portion of the site. This project will place 1-ton rock slope protection boulders on the south side of the upper access road as shown in Figure 2, in order to prevent future vehicle access to areas where erosion is a problem. A utility pole will also be relocated.

## 2. Study Methods

---

### 2.1 Records Review

Prior to initial survey efforts, existing records of special-status plant and wildlife species occurrences were consulted to determine which special-status species have the potential to occur in the project area. Determinations for potential suitable habitat are based on known reported occurrence locations and historical habitat range information. The following sources were consulted:

- On-line California Natural Diversity Data Base (CNDDDB) and Spotted Owl Data Viewer (California Department of Fish and Wildlife 2013, updated search 2015).
- California Native Plant Society (CNPS) Electronic Inventory (CNPS 2011, updated 2015) occurrence records for a 9-quadrangle search around the Inglenook U.S. Geological Survey (USGS) 7.5 minute quadrangle
- U.S. Fish and Wildlife Service (FWS) species list for the Inglenook U.S. Geological Survey (USGS) 7.5 minute quadrangle (July 2013, updated 2015).
- Aerial photographs and topographic maps were reviewed to establish a baseline evaluation of habitat for listed species.

## 2.2. Botanical Surveys

California Department of Fish and Wildlife protocol floristic surveys to determine the presence of sensitive plants were conducted by Caltrans Environmental Staff Biologist Jim McIntosh on May 4, and July 7, 2011, and by Caltrans Environmental Staff Biologists Sean Marquis and Lori McIntosh on June 23, 2015. The surveys were timed to coincide with the blooming periods of special-status plants that have the potential to occur in the area. In addition to surveying for special-status plants, an inventory of all plant species present at the site was recorded. The area was thoroughly walked and all plant species observed were identified and recorded during each of the plant surveys.

## 2.3. Wildlife Surveys

Initial habitat assessments for special-status animals were conducted by Caltrans Environmental Staff biologist Lisa Embree on May 4 and July 7, 2011. Protocol level surveys for special-status wildlife species were not conducted.

## 3. Environmental Setting and Vegetation Communities

---

The project site is located on the Inglenook topographic 7.5 minute quadrangle; T 20N, R17W, Section 8.

The work will be conducted at the end of a dirt road that provides the public with access to the Pacific Ocean. Repeated use by the public has resulted in an informal parking area at the end of the road. The site is located on a southwest facing slope just beyond the parking area, approximately 75 feet from Route 1 and 250 feet from the ocean.

The site is located within Coyote Brush Scrub Alliance with coyote brush (*Baccharis pilularis*) being the dominant species. Other species in this plant community include monkeyflower (*Mimulus aurantiacus*), phacelia (*Phacelia nemoralis* ssp. *nemoralis*), California blackberry (*Rubus ursinus*) and vetch (*Vicia gigantea*). This plant community was identified following the vegetation classification used in A Manual of California Vegetation, 2nd edition (Sawyer et al. 2009), and the current California Department of Fish and Wildlife's Vegetation Classification and Mapping Program (List of California Natural Communities, California Department of Fish and Game 2009a, 2010).

Ruderal vegetation occurs on either side of the access road and includes Himalayan blackberry (*Rubus armeniacus*), sweet vernal grass (*Anthoxanthum odoratum*), field mustard (*Brassica rapa*), and greater periwinkle (*Vinca major*).

Chadbourne Gulch runs parallel to, and is located approximately 20 feet south of, the access road.

Riparian species associated with Chadbourne Gulch include tree species such as red alder (*Alnus rubra*) and arrow willow (*Salix lasiolepis*). Giant horsetail (*Equisetum telmateia* ssp. *braunii*), red elderberry (*Sambucus racemosa* var. *racemosa*), and California figwort (*Scrophularia californica* ssp. *californica*) were also observed.

The beach is sparsely vegetated and heavily used by the public for recreation. Vegetation within the beach area includes beach bur (*Ambrosia chamissonis*), sea rocket (*Cakile* sp.) and grasses such as American dune grass (*Elymus mollis*).

The use by the public has played a large part in the degradation of the area adjacent to the access road and parking area. A considerable amount of trash was seen during both surveys. In addition, evidence of motorcycles being driven onto the slopes adjacent to the project site was seen.

## 4. Results

---

### 4.1. Plant Species Observed

A list of plant species observed is provided in Table 1. No sensitive plant species were observed during the field reviews.

### 4.2. Wildlife Species Observed

A list of wildlife species observed is provided in Table 2. No sensitive wildlife species were detected during any of the field reviews. According to CNDDDB information, the following species were detected within one mile of the project site:

Pacific tailed frog (*Ascaphus truei*), State Species of Special Concern

Location: Chadbourne Gulch near Route 1, approximately 900 feet from project site

Date of observation: 1970

Preferred Habitat: Cold, clear, rocky streams in wet forests. A rocky streambed is necessary for cover for adults, eggs, and larvae.

Southern torrent salamander (*Rhyacotriton variegates*), State Species of Special Concern

Location: Chadbourne Gulch, approximately ½ mile from project site

Date of observation: 1995

Preferred Habitat: Shallow, cold, clear, well-shaded streams, waterfalls and seepages, particularly those running through talus and under rocks all year, in mature to old-growth forests. Occasionally found in riparian vegetation adjacent to water, but usually found in contact with water

Although not observed during the field surveys and not listed on any of the record searches, Pacific harbor seal (*Phoca vitulina*) and California sea lion (*Zalophus californianus*) could come onto the beach adjacent to the project site to ‘haul out.’ The act of hauling out refers to pinnipeds temporarily leaving the water between periods of foraging activity for sites on land. Pacific harbor seals and California sea lions are protected under the Marine Mammal Protection Act, under which it is illegal to “take” a marine mammal without prior authorization from NOAA Fisheries. Take is defined as harassing, hunting, capturing, killing, or attempting to harass, hunt, capture, or kill any marine mammal. Harassment is defined as any act of pursuit, torment, or annoyance that has the potential to injure a marine mammal in the wild, or has the potential to disturb a marine mammal in the wild by causing

disruption of behavioral patterns, including but not limited to migration, breathing, nursing, breeding, feeding, or sheltering.

## 5. Project Impacts

---

The project will have no direct or indirect effect on any sensitive plant species, sensitive habitat, or critical habitat. The project is not expected to result in effects to either Pacific tailed frog or southern torrent salamander because Chadbourne Gulch, where they would be found if present, will not be affected during construction.

Although no equipment will be operating on the beach, there is a chance the project could result in noise or other indirect disturbance to marine mammals that could be hauled out on the beach. The beach is located approximately 35 feet from the area of impact at the closest point. Measures to minimize harm to marine mammals are described below.

The utility pole will be relocated to another portion of the slope covered by Coyote brush scrub. Coyote brush scrub is not considered a rare or imperiled vegetation type (CDFW 2015). In addition, impacts will be minimized as much as possible, particularly since equipment will remain on the graded accessway, outside of the coastal scrub.

## 6. Minimization Measures

---

Minimization measures include:

- Prior to daily onset of construction activities, the construction team lead will visually inspect beach areas within 300 feet of the project area for the presence of hauled out marine mammals. If a hauled out marine mammal is observed, the Fort Bragg Marine Mammal Center will be immediately notified and work will not proceed until a protection zone has been established. All work will be conducted outside of the protection zone until the hauled out mammal is gone. The 24 hour Marine Mammal Center Hotline is: 415.289.SEAL.
- Staging and equipment operation will be limited to the existing graded access road and parking area. No equipment staging or storage will occur within 50 feet of Chadbourne Gulch or its associated riparian area. Heavy equipment will not encroach northwest/upslope of existing K-Rail. No equipment operation or materials storage will occur on the beach.
- Removal of the existing utility pole will occur with hand operated equipment (chainsaw). The pole will be cut at the base and felled in a southeasterly direction if possible. The pole will be bucked up into logs, which will be removed by hand to the truck which will remain on the road.
- Construction vehicles will be regularly checked for leaks. Fueling, lubrication, and maintenance of vehicles will occur off-site.

- Vegetation removal associated with new pole placement will be limited to September 1-February 28 to avoid the bird nesting season (March 1-August 31)

## 7. Permits Required

---

The project will not occur within any waters of the US or State; thus permits are not necessary. No state or federally listed species will be affected; thus endangered species consultations are not required.

The project is located in the Coastal Zone and will require a Coastal Development Permit.

## 8. References

---

CDFW 2013, 2015. California Department of Fish and Wildlife, Rarefind 3 & Rarefind 5 computer program. California Natural Diversity Database Program, Sacramento, CA. January 2013, September 2015.

CDFW 2009a, 2010. California Department of Fish and Wildlife. Natural Communities List. On-line at: [http://www.dfg.ca.gov/biogeodata/vegcamp/natural\\_communities.asp](http://www.dfg.ca.gov/biogeodata/vegcamp/natural_communities.asp).

CNPS 2011, 2015. California Native Plant Society, Inventory of Rare and Endangered Plants of California (online edition, v7-06b). Sacramento, CA. March, 2011 and September 2015. On-line at: <http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi>

Sawyer, J.O., T. Keeler-Wolf, J.M. Evens. 2009. Manual of California Vegetation. Second Edition. California Plant Native Society Press, Sacramento, CA.

U.S. Fish and Wildlife Service. 2013. U. S. Fish and Wildlife Service Species List for the Inglenook quadrangle. January 2013 and September 2015.

## 9. Figures and Tables

---

Figure 1 Location Map

Figure 2 Vicinity Map

Table 1 Plant Species Observed

Table 2 Wildlife Species Observed

Figure 1 Project Location  
Men 1, Post Mile 75.0, EA 49430

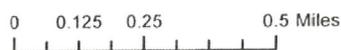


Figure 2 Project Vicinity  
Men 1, Post Mile 75.0, EA 49430



Table 1 Plant Species Observed  
EA 494301, MEN 1 PM 75  
Survey Dates: May 4, July 7, 2011, June 23, 2015  
Surveys Conducted by Jim McIntosh, Sean Marquis, Lori McIntosh

<u>Scientific Name</u>	<u>Common Name</u>
<b><u>TREES</u></b>	
<i>Alnus rubra</i>	RED ALDER
<i>Salix lasiolepis</i>	ARROYO WILLOW
<i>Salix sitchensis</i>	WILLOW
<b><u>SHRUBS</u></b>	
<i>Atherium felix-femina</i> var. <i>cyclosum</i>	LADY FERN
<i>Baccharis pilularis</i>	COYOTE BRUSH
<i>Polystichum munitum</i>	WESTERN SWORD FERN
<i>Pteridium aquilinum</i> var. <i>pubescens</i>	BRACKEN, BRAKE
<i>Rosa</i> sp.	ROSE
<i>Rubus armeniacus</i>	HIMALAYAN BLACKBERRY
<i>Rubus ursinus</i>	CALIFORNIA BLACKBERRY
<i>Sambucus racemosa</i>	RED ELDERBERRY
<i>Toxicodendron diversilobum</i>	WESTERN POISON OAK
<b><u>HERBS</u></b>	
<i>Abronia latifolia</i>	YELLOW SAND VERBENA
<i>Achillea millefolium</i>	YARROW, MILFOIL
<i>Ambrosia chamissonis</i>	BEACH BUR
<i>Anagallis arvensis</i>	SCARLET PIMPERNEL
<i>Anaphalis margaritacea</i>	PEARLY EVERLASTING
<i>Angelica hendersonii</i>	ANGELICA
<i>Anthoxanthum odoratum</i>	SWEET VERNAL GRASS
<i>Artemesia douglasiana</i>	MUGWORT
<i>Avena barbata</i>	SLENDER WILD OAT
<i>Bellis perennis</i>	ENGLISH DAISY
<i>Brassica rapa</i>	TURNIP, FIELD MUSTARD
<i>Briza maxima</i>	QUAKING GRASS
<i>Briza minor</i>	SMALL QUAKING GRASS
<i>Bromus diandrus</i>	RIPGUT GRASS
<i>Bromus hordeaceus</i>	BROME
<i>Bromus stamineus</i>	BROME
<i>Calystegia purpurata</i> ssp. <i>purpurata</i>	MORNING GLORY
<i>Carduus pycnocephalus</i>	ITALIAN THISTLE
<i>Carpobrotus</i> sp.	ICEPLANT

MEN 1 PM 75 continued

**HERBS**

<i>Cakile edentula</i>	SEA ROCKET
<i>Cerastium glomeratum</i>	MOUSE-EAR CHICKWEED
<i>Chamomilla suaveolens</i>	PINEAPPLE WEED
<i>Conium maculatum</i>	POISON HEMLOCK
<i>Cortaderia jubata</i>	CORTADERIA
<i>Cynossorus echinatus</i>	HEDGEHOG DOGTAIL
<i>Dactylis glomerata</i>	ORCHARD GRASS
<i>Delairea odorata</i>	GERMAN IVY
<i>Dudleya sp.</i>	DUDLEYA
<i>Elymus glaucus ssp. glaucus</i>	BLUE WILDRYE
<i>Elymus mollis</i>	DUNE WILDRYE
<i>Elymus Xvancouverensis</i>	LEYMUS
<i>Equisetum telmateia var. braunii</i>	GIANT HORSETAIL
<i>Erigeron glaucus</i>	SEASIDE DAISY
<i>Eriophyllum staechadifolium</i>	SEASIDE WOOLY SUNFLOWER
<i>Erodium cicutarium</i>	STORKSBILL, FILAREE
<i>Eschscholzia californica</i>	CALIFORNIA POPPY
<i>Festuca arundinacea</i>	TALL FESCUE
<i>Galium sp.</i>	BEDSTRAW
<i>Geranium dissectum</i>	CRANESBILL, GERANIUM
<i>Gnaphalium luteo-album</i>	GNAPHALIUM
<i>Gnaphalium stramineum</i>	GNAPHALIUM
<i>Grindelia stricta</i>	COAST GUMPLANT
<i>Heracleum lanatum</i>	COW PARSNIP
<i>Hirschfeldia incana</i>	HIRSCHFELDIA
<i>Holcus lanatus</i>	COMMON VELVET GRASS
<i>Hordeum marinum ssp. gussoneanum</i>	MEDITERANEAN BARLEY
<i>Hypochaeris radicata</i>	HAIRY CAT'S EAR
<i>Lavatera cretica</i>	LAVATERA
<i>Lepidium nitidum</i>	PEPPERGRASS, PEPPERWORT
<i>Lolium multiflorum</i>	ITALIAN RYEGRASS
<i>Lupinus succulentus</i>	LUPINE
<i>Marah oreganus</i>	COAST MAN ROOT
<i>Medicago polymorpha</i>	ALFALFA
<i>Melilotus indicus</i>	MELILOTUS
<i>Melissa officianalis</i>	MELISSA
<i>Mimulus aurantiacus</i>	MONKEYFLOWER
<i>Oenanthhe sarmentosa</i>	OENANTHE
<i>Petasites frigidus var. palmatus</i>	PETASITES
<i>Phacelia nemoralis ssp. nemoralis</i>	PHACELIA

MEN 1 PM 75 continued  
HERBS

<i>Phalaris aquatica</i>	CANARY GRASS, HARDING GRASS
<i>Plantago coronopus</i>	CUT-LEAF PLANTAIN
<i>Plantago lanceolata</i>	ENGLISH PLANTAIN
<i>Plantago major</i>	PLANTAGO
<i>Poa annua</i>	ANNUAL BLUEGRASS
<i>Poa trivialis</i>	POA
<i>Polygonum arenastrum</i>	COMMON KNOTWEED
<i>Potentilla anserina</i>	SILVERWEED CINQUEFOIL
<i>Raphanus sativus</i>	RADISH
<i>Rumex acetosella</i>	SHEEP SORREL
<i>Rumex crispus</i>	RUMEX
<i>Scirpus microcarpus</i>	SCIRPUS
<i>Scrophularia californica</i> ssp. <i>californica</i>	CALIFORNIA FIGWORT
<i>Sedum</i> sp.	STONECROP
<i>Silybum maritimum</i>	MILK THISTLE
<i>Sisyrinchium californicum</i>	GOLDEN-EYE GRASS
<i>Solanum douglasii</i>	NIGHTSHADE
<i>Sonchus oleraceus</i>	COMMON SOW THISTLE
<i>Spergularia rubra</i>	SAND-SPURRY
<i>Stachys ajugoides</i>	HEDGE NETTLE
<i>Tetragonia tetragonoides</i>	NEW ZEALAND SPINACH
<i>Trifolium dubium</i>	LITTLE HOP CLOVER
<i>Urtica dioica</i>	STINGING NETTLE
<i>Vicia gigantea</i>	VETCH
<i>Vicia sativa</i> ssp. <i>sativa</i>	COMMON VETCH, SPRING VETCH
<i>Vinca major</i>	GREATER PERIWINKLE
<i>Vulpia bromoides</i>	VULPIA

Table 2 Wildlife Species Observed  
EA 49430, Men 1, PM 75.0

**Birds**

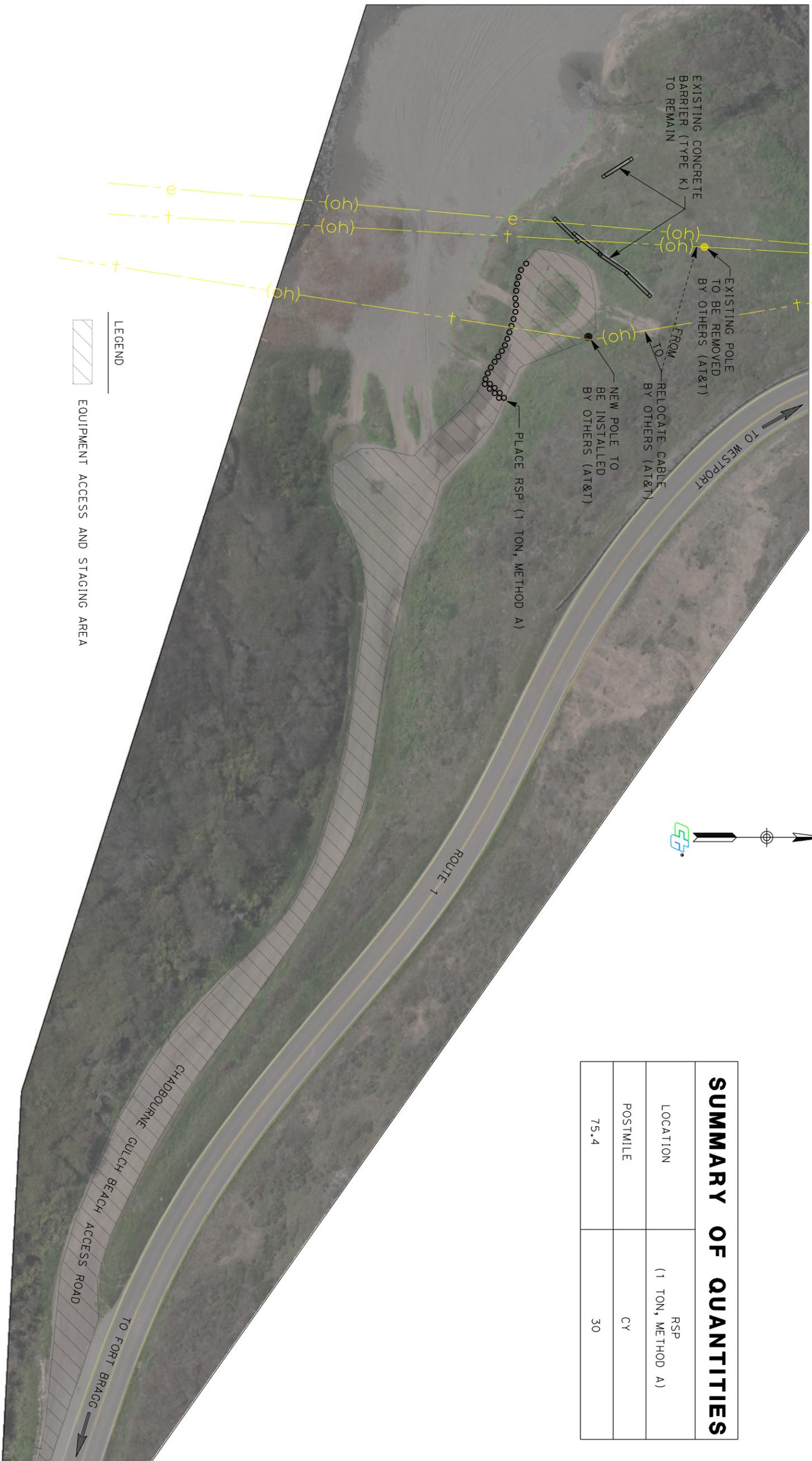
Western gull, *Larus occidentalis*  
Turkey vulture, *Cathartes aura*  
Osprey, *Pandion haliaetus*  
Common raven, *Corvus corax*  
Winter wren, *Troglodytes troglodytes*  
Wrentit, *Chamaea fasciata*  
Wilson warbler, *Wilsonia pusilla*  
Swainson's thrush, *Catharus ustulatus*  
Orange Crowned warbler, *Vermivora celata*  
Song sparrow, *Melospiza melodia*  
Brown Headed Cowbird, *Molothrus ater*  
Purple finch, *Carpodacus purpureus*  
American goldfinch, *Spinus tristis*

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION <b>Caltrans</b>	FUNCTIONAL SUPERVISOR RICHARD MULLEN	CALCULATED-DESIGNED BY KIRSTEN HURLBURT	REVISED BY			
		CHECKED BY CAREN COONROD	DATE REVISED			

**MINOR B**

NOTES:

1. EXACT LOCATION OF THE RSP TO BE DETERMINED BY THE ENGINEER.



LEGEND  
EQUIPMENT ACCESS AND STAGING AREA



SUMMARY OF QUANTITIES	
LOCATION	RSP (1 TON, METHOD A)
POSTMILE	CY
75.4	30

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
01	MEN	1	75.4	2	3

**PRELIMINARY NOT FOR CONSTRUCTION**

REGISTERED CIVIL ENGINEER DATE

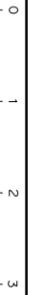
PLANS APPROVAL DATE

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

**FOR ENVIRONMENTAL STUDIES ONLY  
CONSTRUCTION DETAILS**

**C-1**

No Scale



Resolution Number \_\_\_\_\_

County of Mendocino  
Ukiah, California

CDP\_2015-0028 STATE OF CALIFORNIA

RESOLUTION OF THE Coastal Permit Administrator, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A Categorical Exemption AND GRANTING A STANDARD COASTAL DEVELOPMENT PERMIT FOR the placement of 1-ton boulders and relocation of an existing utility pole at Chadbourne Gulch access road, Highway 1 postmile marker 75.43, WESTPORT

WHEREAS, the applicant, CALIFORNIA DEPARTMENT OF TRANSPORTATION, filed an application for STANDARD COASTAL DEVELOPMENT PERMIT with the Mendocino County Department of Planning and Building Services to place 1-ton rock slope protection (RSP) boulders and relocate an existing utility pole on State Route 1 at post mile 75.43 (a.k.a. Chadbourne Gulch Beach access road or "Blue's Beach"), The site is located approximately two miles south of the Town of Westport, located on the west side of Highway 1 at postmile marker 75.43, located within the Caltrans right-of-way., POSTMILE MARKER 75.43 (APN 015-010-31), WESTPORT; General Plan OS; Zoning OS; Supervisorial District 4; (the "Project"); and

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State and County Guidelines thereto, this project has been found to be Categorically Exempt from environmental review; and

WHEREAS, in accordance with applicable provisions of law, the Coastal Permit Administrator held a public hearing on July 28, 2016, at which time the Coastal Permit Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Class 31 Categorical Exemption from the California Environmental Quality Act pursuant to PRC Section 15331 and the Project. All interested persons were given an opportunity to hear and be heard regarding the Class 31 Categorical Exemption and the Project; and

WHEREAS, the Coastal Permit Administrator has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the certified Local Coastal Program and the Board of Supervisors regarding the Class 31 Categorical Exemption and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Coastal Permit Administrator makes the following findings;

1. The proposed development is in conformity with the certified local coastal program; and
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities; and
3. The proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of the MCC and preserves the integrity of the zoning district; and
4. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and

5. Through the application of Condition 11, the proposed development will not have any adverse impacts on any known archaeological or paleontological resource; and
6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development; and
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and Coastal Element of the General Plan; the project will not diminish access to the coast; and
8. Based on the recommendations of the project biologist and applied through Condition 12, will avoid impacts of development on ESHA.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator hereby adopts the Class 31 Categorical Exemption from the California Environmental Quality Act pursuant to Guidelines Section 15301.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator hereby grants the requested Coastal Development Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Coastal Permit Administrator decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Coastal Permit Administrator action shall become final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission.

*I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.*

ATTEST: ADRIENNE THOMPSON  
Commission Services Supervisor

By: \_\_\_\_\_

BY: STEVE DUNNICLIFF  
Director

ANDY GUSTAVSON  
Coastal Permit Administrator

\_\_\_\_\_

\_\_\_\_\_

## EXHIBIT A

### CONDITIONS OF APPROVAL CDP\_2015-0028 CALTRANS CHADBOURNE GULCH JULY 28, 2016

Standard Coastal Development Permit for the placement of 1-ton boulders and relocation of an existing utility pole at the Chadbourne Gulch Beach access road. All work will occur within the existing Caltrans right-of-way. The purpose of this project is to ensure permanent protection of an existing coastal resource as well as fulfill the conditions of the Emergency Coastal Development Permit (EM #5-2005) issued to the California Department of Transportation in December 2005.

**APPROVED PROJECT DESCRIPTION:** The applicant proposes to place rock slope protection (RSP) boulders and relocate an existing utility pole on State Route 1 at post mile 75.43 (a.k.a. Chadbourne Gulch Beach access road or "Blue's Beach"). Boulder dimensions would range between ½ ton (2' x 2' x 2') and 2 tons (3' x 3' x 3'). The purpose is to protect an existing archaeological resource area and fulfill the conditions of an Emergency Coastal Development Permit (EM #5-2005) issued to the California Department of Transportation in December 2005. The approximately 100-linear feet of K-rail segments installed under EM #5-2005 are proposed to remain in place. The existing utility pole would be cut to ground height and hand carried out of the site. A new pole would be installed approximately 90 feet to the southeast of the existing pole location. The new utility pole would be an approximately 40 foot-tall class 4 wooden pole.

Approximately 100-linear feet of RSP boulders are proposed to be positioned to block vehicular access to the "loop" which is currently used as an informal parking area. The boulders would be located approximately 100 feet south of the existing K-rail and along the coastal bluff edge to prevent off-road vehicles from accessing the flat from the beach. All proposed work would occur within the existing Caltrans right-of-way. Staging would be located on the existing Chadbourne Gulch Beach access road. Construction would have a duration of approximately 5 working days. An excavator would be required to lift and place the boulders. The excavator would be directed by the Caltrans archaeologist to ensure proper boulder placement.

#### **CONDITIONS OF APPROVAL:**

1. This action shall become final on the 11<sup>th</sup> day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration. To remain valid, progress towards completion of the project must be continuous. The applicant has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.

4. That this permit be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
6. This permit shall be subject to revocation or modification upon a finding of any one (1) or more of the following:
  - a. That such permit was obtained or extended by fraud.
  - b. That one or more of the conditions upon which such permit was granted have been violated.
  - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety or as to be a nuisance.
  - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
9. Prior to issuance of a Coastal Development Permit, the applicant shall submit a color sample or stone sample for the RSP boulders. Said sample shall be selected to blend in hue and brightness with existing stone on the subject parcel and shall correspond with the boulders placed on the site during construction. Said sample(s) shall be subject to review and approval by the Coastal Permit Administrator and shall become a component of the project case file.
10. Prior to issuance of a Coastal Development Permit, the applicant shall submit a final detail of the utility pole to ensure substantial dimensional conformance with the project description. Said detail shall be drawn to scale and shall be subject to review and approval by the Coastal Permit Administrator.
11. The applicant shall adhere to the recommendations contained in the Environmentally Sensitive Area (ESA) Action Plan for the Chadbourne Gulch Project: MEN-1, PM 75.48, EA: 494300, EFIS: 0100020145 (in Coastal Permit Approval Checklist).
12. The applicant shall adhere to the following protective measures as prescribed in the Reduced Buffer Analysis dated October 5, 2105:
  1. Prior to daily onset of construction activities, the construction team lead shall visually inspect beach areas within 300 feet of the project area for the presence of hauled out marine mammals. If a hauled out marine mammal is observed, Fort Bragg Marine Mammal Center shall be immediately notified and work shall not proceed until a protection zone has been established. All work shall be conducted outside of the protection zone until the hauled out mammal is gone. The 24 hour Marine Mammal Center Hotline is: 415-289-SEAL.
  2. Staging and equipment operation shall be limited to the existing graded access road and

parking area as depicted on Attachment L. No equipment staging or storage shall occur within 50 feet of Chadbourne Gulch or its associated riparian area. Heavy equipment shall not encroach northwest/upslope of existing K-Rail. No equipment operation or materials storage will occur on the beach.

3. Removal of the existing utility pole shall occur with hand-operated equipment (chainsaw). The pole shall be cut at the base and felled in a southeasterly direction if possible. The pole shall be bucked up into logs and shall be removed by hand to the truck which shall remain on the gravel road.
4. Construction vehicles shall be regularly checked for leaks. Fueling, lubrication, and maintenance of vehicles shall occur off-site.
5. Vegetation removal associated with new pole placement shall be limited to September 1<sup>st</sup> - February 28<sup>th</sup> to avoid the bird nesting season (March 1<sup>st</sup> - August 31<sup>st</sup>).