



# Resource Management Agency

## COUNTY OF TULARE AGENDA ITEM

### BOARD OF SUPERVISORS

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District One

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District Two

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District Three

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District Four

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District Five

**AGENDA DATE:** May 9, 2023

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	N/A

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

**SUBJECT:** Adopt the Categorical Exemption for the M46 West Oakwood Drive over Capinero Creek Bridge Project

**REQUEST(S):**

That the Board of Supervisors:

1. Find that the M46 West Oakwood Drive over Capinero Creek Bridge Project is exempt from review under the California Environmental Quality Act (CEQA) and the State CEQA Guidelines as replacement or reconstruction of existing structures and facilities pursuant to Class 2, 14 CCR 15302(c), and as a declared emergency pursuant to Section 21080(b)(3) and 14 CCR 15269(a) and (c), and is included in the County's list of activities specifically exempted from CEQA review pursuant to 14 CCR 15300.4.
2. Authorize the Environmental Assessment Officer, or designee, to sign and file the Notice of Exemption with the County Clerk-Recorder.

**SUMMARY:**

The County proposes to replace the former single span timber bridge on Mountain Road 46 (M46) West Oakwood Drive over Capinero Creek, located approximately 25 miles southeast of Porterville in Tulare County, in the community of Pine Flat, CA. During the recent March 2023 storms, catastrophic flooding and debris flow resulted in the complete washout of the former bridge along M46 West Oakwood Drive, which served as the only access to several homes and cabins across Capinero Creek, a minor tributary of Deer Creek. As a result of the bridge washout, a portion of the Pine Flat community was isolated. The County was able to restore temporary emergency access to residents by clearing a former access road through private property (connecting the north and south segments of Rabbit Foot Trail that ties into Pine Flat Drive near Seven Oaks Market). Although residents are currently using Rabbit Foot Trail, the road is steep and narrow,

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limiting larger trucks and material supply into the back part of the Pine Flat community.

County staff is currently working with owners along the backside of M43 Manter Meadow Drive and Melody Lane to establish a Temporary Public Access Easement (TPAE) along an existing private access road. This TPAE will restore full public access (allowing for larger material supply vehicles) to enter the community from M43 Manter Meadow Drive to the east. The County intends to place an "All-Weather" road and make general improvements in exchange for the TPAE. Once the County has secured all signatures needed to establish the TPAE, County crews will perform all necessary improvements to the TPAE area. This work is anticipated for early May. If the necessary TPAE cannot be secured, the County will explore options to place a temporary crossing at the Oakwood Drive bridge washout location (this will however require additional engineering and right-of-way).

Construction for the M46 West Oakwood Drive bridge is anticipated to begin in fall of 2023 and will take approximately 3 months to complete. The TPAE will be in place until construction of the M46 West Oakwood Drive bridge is completed, at which time the County will quitclaim all interest to the properties granted by the owners. Upon completion of the quitclaim, all future maintenance will revert to the private landowners.

The County is currently working to expedite the design of the replacement bridge. The bridge will consist of a precast prestressed (PC/PS) voided slab bridge with diaphragm abutments supported on pile footings. It will measure approximately 40-feet long by 19-feet wide and accommodate one 15-foot travel lane.

In accordance with the California Environmental Quality Act (CEQA), the County of Tulare, acting as the lead agency for the M46 West Oakwood Drive over Capinero Creek Bridge Project, must adopt the Categorical Exemption (CE) prior to advertising the Project for construction.

In accordance with CEQA, the County has determined that the Project qualifies for a Class 2 exemption pursuant to 14 CCR 15302(c) as it consists of replacement or reconstruction of existing structures and facilities as well as a declared emergency exemption under Section 21080(b)(3) and 15269(a) and (c) as it is a specific action necessary to prevent or mitigate an emergency. The project is also included in the County's list of activities specifically exempted from CEQA review pursuant to 14 CCR 15300.4.

Once this Categorical Exemption is adopted and Notice of Exemption filed, environmental clearance for this project will be obtained. County staff will then submit permit applications to the applicable regulatory agencies, thus moving this project one step closer to construction.

**FISCAL IMPACT/FINANCING:**

No net County cost to the General fund.

A summary of the estimated cost for the M46 West Oakwood Drive over Capinero Creek

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Bridge Project is as follows:

Preliminary Engineering:	\$250,000
Right-of-Way Support / Acquisition:	\$30,000
Estimated Construction:	\$850,000
<b>Total:</b>	<b>\$1,130,000</b>

The design phase for this project is being funded by TCAG via Measure R Regional Funds. Since the old crossing at West Oakwood Drive over Capinero Creek was destroyed by the 2023 March storms, construction of this project may be eligible for funding reimbursement under the FEMA disaster relieve program.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

Safety and Security and Economic Well Being – This project will enhance the safety and security of the public by improving the transportation infrastructure for both the general population in the region and the motorists using this facility.

**ADMINISTRATIVE SIGN-OFF:**

**/s/ Reed Schenke**

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Reed Schenke, P.E.  
Director

Cc: County Administrative Office

Attachment A: Vicinity Map

Attachment B: Notice of Exemption