PLN220090 - CALTRANS/GARRAPATA BRIDGE RAILS
Public hearing to consider California Department of Transportation's ("Caltrans") appeal of the Garrapata Creek bridge rail replacement project on Highway 1, Big Sur.
Project Location: Garrapata Creek Bridge near post mile 63.0 on HWY 1, Big Sur Land Use Plan.
Proposed California Environmental Quality Act ("CEQA") action: Finding that denial of the project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15270.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:
1. Find that denial of the project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15270;
2. Deny Caltrans' appeal of the Planning Commission's decision to deny a permit for the Garrapata Creek Bridge Rail Replacement Project (PLN220090); and
3. Deny a Combined Development Permit consisting of:
    a. A Coastal Development Permit and Design Approval to allow the replacement of the bridge rails on the historic Garrapata Creek Bridge;
    b. A Coastal Development Permit to allow development within the Critical Viewshed;
    c. A Coastal Development Permit to allow development within 750 feet of known archaeological resources; and
    d. A Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat.

A draft resolution, including findings with evidence is attached for consideration (**Attachment B**).

PROJECT INFORMATION:

Agent: Peter Hendrix
Project Applicant: California Department of Transportation (Caltrans)
Zoning: WSC/40-D
Plan Area: Big Sur Land Use Plan
Flagged and Staked: No (visual simulations provided)

SUMMARY:

The California Department of Transportation ("Caltrans") proposes to remove and replace the bridge rails on the Garrapata Creek Bridge. The existing bridge rails are steel reinforced concrete rails with arched openings constructed in 1931 with the original bridge. The rails are showing signs of advanced deterioration with areas of exposed rebar and concrete spalling. Caltrans desires to replace the deteriorating rails with new bridge rails that comply with current safety standards. Caltrans has adopted a policy of compliance with current Manual for Assessing Safety Hardware ("MASH") standards for all bridge rails on state highways and has also adopted the American Association of State Highway Transportation Officials ("AASHTO") "LRFD BDS-8" bridge design standards with California amendments.

On March 8, 2023, the Monterey County Planning Commission considered the application and denied the project, finding it inconsistent with the Big Sur Coast Land Use Plan, as the reduced size and number of

openings reduces visual access for the travelling public, the proposed design does not meet the exacting standards for visual resource protection in the plan area, and that other design options had not been given adequate consideration. The Planning Commission also found that the project has the potential to adversely impact considerations on the rail replacement process for the other "Big Sur Arches," as those rail replacements are proposed in the future. Caltrans appealed the Planning Commission's denial to the Board of Supervisors on March 23, 2023.

The Board of Supervisors considered the appeal at their December 6, 2023 meeting. After consideration, the board adopted a motion of intent to deny Caltrans appeal, uphold the Planning Commission denial of the project, and direct staff to return with prepared findings supporting denial in January 2024. The Board's reasons for the motion to deny the project included: a recognition of hazards that exist along the entire stretch of highway rather than just this bridge; the exceptional nature of Big Sur and Highway 1; the importance of these historic bridges both culturally and for tourism; and the potential for design exceptions or alternatives to preserve the visual and historic character. On January 30, 2024, the Board continued the hearing on the item to March 26, 2024 at the request of staff and Caltrans.

On February 23, 2024, Caltrans submitted a supplemental package of materials which can be found on Housing and Community Development's website for the project linked in **Attachment A**. In summary, Caltrans staff contended that the proposed design of the bridge rails, which was developed in coordination with an Aesthetic Design Review Committee, has resulted in architectural changes that attempt to protect visual and historic values without compromising health and safety standards. Caltrans started with a MASH compliant "Type 86-H" bridge rail design and made modifications to the design including arching the top of the openings, chamfering the openings, placing strong posts in places that are consistent with the existing structure of the bridge, and rounding the top rail for historic and aesthetic reasons. New crash testing is not required for this design as these architectural treatments are minor alterations to a crash tested rail acceptable to Caltrans.

On March 26, 2024, the project was brought back to the Board of Supervisors with a draft denial resolution. Discussion at the Board of Supervisors hearing included the importance of these historic bridges, which are one of the few celebrated man-made features along Highway 1 in Big Sur Critical Viewshed; and re-iteration of the precedent setting nature of this decision, which may impact the consideration of the other historic bridge rail replacements in the Big Sur corridor. The Board expressed a desire to work with Caltrans to come to a solution that addresses these issues, rather than punt the problem to another agency to resolve on appeal (in this case the California Coastal Commission) or deny the application without leaving some path forward for Caltrans to address safety needs along the bridge. Therefore, the Board of Supervisors adopted a motion to form a working group consisting of three local representatives, three Caltrans representatives, and a County of Monterey Housing and Community Development Representative. The working group met on April 26, 2024 and again on May 17, 2024. The six members were:

- Caltrans: Peter Hendrix, Traffic Division Chief.
- Caltrans: Kim Mori, Division of Engineering Services.
- Caltrans: Kristen Langager, Landscape Architect.
- Community: Stephen Lyon, Construction Project Manager.
- Community: Gary Knott, PE.
- Community: Janet Hardisty, Big Sur Resident.

- HCD: Craig Spencer, Director.

Many of the questions raised at the working group were similar to those raised through the review process: why strict adherence to current design standards is required, why the speed could not be lowered to allow greater flexibility in the design either at this location or along a larger section of Highway 1, and how this project would impact the consideration of future projects. After detailed review and discussion of the options, the working group was unable to find a mutually agreeable solution.

The working group voted 4-3 (community members and HCD staff representing the 4 part majority vote) to recommend replacement of the bridge rail in kind (or in some modified shape), which was understood to mean exploring the potential for legislative changes that make possible deviation from current bridge rail standards that are relied upon by Caltrans. While the materials submitted by Caltrans do not indicate a change in law would be required to consider a design exception, this solution could entail some kind of specific direction from an executive or legislative body that would widen the range of replacement alternatives. All Caltrans representatives favored the 86-H with a 6-inch chamfered opening (the proposed project in **Attachment C**). Five out of seven working group members supported this alternative as the best design within the confines of meeting the current design standards, with the local Big Sur Resident representative not expressing a favored option beyond replacement in kind.

County staff asked Caltrans staff if they would be amenable to another continuance on the County's consideration of the coastal development permit for the bridge rail while legislative options are considered. Caltrans has indicated that they would like a decision on the Coastal Development Permit so that they can take their next steps in the process. Given the Planning Commission denial, the Board's prior motion of intent to deny, and the bridge rail working group's recommendation to consider legislative options, coupled with Caltrans' desire to move on with the process, staff recommends that the Board of Supervisors deny Caltrans' appeal and the permit.

Denial of the project would likely result in a temporary safety solution include reducing to one lane with signals on both ends at Garrapata Creek Bridge, temporary K-rails, or some other temporary solution to the potentially unsafe condition with the current deteriorating bridge rail on Garrapata Creek Bridge. Temporary measures would need a separate permit before they are installed. Temporary measures will likely have visual and public access impacts while they are in place.

DISCUSSION:
A detailed discussion is attached as **Attachment A**.

ENVIRONMENTAL REVIEW:
Caltrans, as the Lead Agency for the project under the California Environmental Quality Act ("CEQA"), has prepared an Environmental Impact Report ("EIR") consisting of a Tier 1 program level review for the Big Sur Bridge Rail Replacement Program and a Tier 2 project level review of the Garrapata Bridge Rail Replacement Project. Caltrans found the project qualified for a Categorical Exclusion from the National Environmental Policy Act ("NEPA"). As a Responsible Agency, to approve the project the County would need to certify that it has reviewed and considered the information contained in the EIR and affirm its conclusions prior to approving the project, adopting its own findings as required by CEQA.

Staff is recommending denial of the project in this case. CEQA Guidelines section 15270 statutorily exempts projects which a public agency rejects or disapproves. The Board of Supervisors action to deny appeal and

project would fit within this exemption and the County would not be required to act on the EIR at this time. The EIR certified by Caltrans is attached to this report for reference.

OTHER AGENCY INVOLVEMENT:
This project is being proposed by Caltrans. Prior to submitting the Coastal Development Permit for the project, Caltrans consulted with the State Historic Preservation Officer ("SHPO") to fulfill requirements of Section 106 of the National Historic Preservation Act ("NHPA"). Caltrans also undertook a Department of Transportation Act of 1966 Section 4(f) analysis under its assumption of Federal Highway Administration ("FHWA") responsibilities.

The project is in the California Coastal Zone, which is appealable to the California Coastal Commission. Coastal Commission staff have submitted a number of letters asking questions and expressing concern regarding the visual impacts of the project. Prior to the December 2023 Board of Supervisors hearing they submitted a letter urging the County and Caltrans to come to a mutually agreeable solution to this issue. Prior to the March 2024 hearing the Highway Patrol and local State Parks district submitted letters of support for the project. No other external agencies were involved in the review of this application.

ADVISORY AND RECOMMENDING BODIES:
On November 8, 2022, the Big Sur Land Use Advisory Committee ("LUAC") considered the proposed project. The LUAC recommended approval with changes by a vote of 4 ayes to 1 no (**Attachment G**). Comments were made that the reduced opening sizes in the proposed replacement rails obscure the viewshed and the openings should be widened to their original height and width and that the historic design be maintained while attempting to meet current safety standards. One of the concerns noted is that the new design is effectively a wall as a result of the smaller openings.

On December 1, 2022, and January 5, 2023, the Historic Resources Review Board ("HRRB") considered the proposed project. After receiving additional information between the December and January meetings on the design and justification, the HRRB voted 6-0 with 1 absent to recommend approval of the project with 2 conditions (**Attachment H**). The first condition is that the final color be approved by the Chief of Planning to match the existing rails as closely as possible, and the second condition was that speed studies and other alternatives be explored for each bridge.

On May 17, 2024, the Garrapata Creek Bridge Rail replacement project working group voted 4-3 to support an alternative that would be either replacement of the existing rails in kind or some kind of legislative solution that would allow a wider range of design options. All three Caltrans representatives favored the 86-H with a 6-inch chamfered opening (the proposed project in **Attachment C**). Five out of seven working group members supported this alternative as the best design within the confines of meeting the current design standards, with the local Big Sur Resident representative not expressing a favored option beyond replacement in kind, and one other member preferring the C412 rail type as a secondary option.

FINANCING:
Funding for staff time is included in the FY2023-24 Adopted Budgets for HCD Appropriation Unit HCD002, Unit 8543. A fee was collected to partially recuperate the cost of staff time associated with processing the application. No fee is collected for an appeal for projects located in the Coastal Zone.

Prepared by: Phil Angelo, Associate Planner x5731
Approved by: Craig Spencer, Director of Housing & Community Development

The following attachments are on file with the Clerk of the Board:

Attachment A - Discussion
Attachment B - Draft Resolution
Attachment C - Proposed Project Plans
Attachment D - Alternative Designs Comparison
Attachment E - Appeal (Including Planning Commission Denial Resolution)
Attachment F - Environmental Documents (Tier I & II EIR, NEPA Exclusion)
Attachment G - Caltrans and FHWA Memos

cc: Front Counter Copy; Planning Commission; Craig Spencer, Director of HCD; Phil Angelo, Planner; Peter Hendrix, Caltrans (applicant); Aaron Wolfram, Caltrans (applicant); Kristen Langager, Caltrans (applicant); Kim Mori, Caltrans (applicant); Stephen Lyon; Gary Knott; Janet Hardisty; Eric Stevens, California Coastal Commission staff; Keep Big Sur Wild, Christina McGinnis; Martha Diehl; The Open Monterey Project (Molly Erickson); Jim Heid, Albion Bridge Stewarts; Patricia Larson, Schute, Mihaly & Weinberger; Sara Clark, Schute, Mihaly & Weinberger; Tim Gill; Christopher Grimes; Steven Harper; John Wilson; Aengus Jeffers; Patte Kronlund, Community Association of Big Sur; Rachel Goldberger, Community Association of Big Sur; Community Association of Big Sur; Mark Lemley; Constance McCoy; Richard Mitchell; Kate Novoa; Sharon Wilson; LandWatch (Executive Director); Project Files PLN220090.