



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: RES 24-051

March 26, 2024

Introduced: 3/14/2024

Current Status: Agenda Ready

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Matter Type: BoS Resolution

PLN220090 - CALTRANS/GARRAPATA BRIDGE RAIL

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: Jason Wilkinson

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 on Garrapata Bridge 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 the project inconsistent with the Big Sur Coast Land Use Plan, as the reduced width and number of openings reduce visual access for the travelling public and the proposed design does not meet the exacting standards for visual resource protection in the plan area, 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. Caltrans’ appeal contends that the Planning Commission decision was not supported by the evidence and contrary to law.

Caltrans’ appeal on the project was considered by the Board of Supervisors at their December 6, 2023, meeting. After consideration, the Board adopted a motion of intent to deny Caltrans appeal, uphold the Planning Commissions 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. A resolution with detailed findings and responses to appeal contentions is included as **Attachment B**.

On February 23, 2024 Caltrans submitted a supplemental package of materials including a letter dated February 23, 2024 from District 5’s Deputy Director of Environmental Analysis; a letter from the new State Bridge Engineer dated February 13, 2024; the previous state bridge engineer’s letter dated March 21, 2023; letters of support for the project from the California Highway Patrol and California State Parks’ Monterey District; a user guide to bridge standard details; and a comparison diagram of the progression in safety standards requiring additional supporting steel, which uses the upgraded Nojoqui Creek Bridge as an example. Caltrans District 5 Traffic Division Chief submitted a revised version of the cover report for this supplemental package dated March 6, 2024. The most current supplemental package is included as **Attachment I**.

In summary, Caltrans staff argue 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. County staff have researched alternatives and it appears that either new bridge rails can be designed and then subjected to crash testing, or the State Bridge Engineer can consider exceptions to existing standards. If a new design subject to crash testing were to be explored, it is likely that current health and safety standards would drive the need for a bulkier rail than currently exists, making it difficult to anticipate if this option would better achieve the visual and historic resource protection standards. Regarding the

ability for the State Bridge Engineer to make exceptions, Caltrans has provided letters from the State Bridge Engineer indicating that exceptions to the standards will not be approved for the new bridge rail design, whether those exceptions entail modification to the MASH crash testing standards or the dimensional requirements from the American Association of State Highway and Transportation Officials (AASHTO) “LRFD BDS-8.” The State Bridge Engineer did not provide any specific description of the exceptions considered in this case, or the reasons exceptions were not appropriate other than reference back to the federal and state standards and that they are for the protection of health and safety.

In this case, 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 railing, 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.

Many feel that the unique physical environment of Highway 1 in Big Sur warrants special considerations in the design and placement of new highway devices and exhaustive consideration should be given to the protection of Big Sur’s visual and historic resources. Caltrans staff have attempted to explain the design considerations have been made and other design factors are constrained by highway safety standards. These two positions remain at odds and the precedent setting nature of a decision on this project remains a concern.

After reviewing the information submitted by Caltrans, responses to project-specific comments raised in the process of review of this permit do not appear to have been addressed. This includes comments regarding the overall dangers experienced by motorists on Highway 1 north or south of the Garrapata Creek Bridge, the lack of a shoulder on the bridge limiting pedestrian activity, and other relevant unique physical conditions that might warrant consideration of exceptions.

On March 14, 2024 staff updated the County’s web page for the project with information from previous hearings and supplemental materials. After distribution of the updated page two emails were received by members of the public, and Supervisor Adams contacted staff to ask if there were examples of other historic bridges in California where design exceptions had been made. Staff had previously reached out to the State Parks Certified Local Government (CLG) email listerv to ask if any other local agencies in the state had experience with this issue. Martin Rosen responded stating he was a former environmental planner from Caltrans District 11 and that their district had preserved rails on a similar historic corridor on State Route 163. All three messages are included as **Attachment K**. More information regarding design exceptions was identified in other states, which is discussed in detail in the draft resolution **Attachment B**. The referenced 2020 AASHTO Historic Bridge Preservation Guide is available on AASHTO’s website, and the referenced publications from the National Cooperative Highway Research Program (NCHRP) are available on the County’s web page for the project, which is linked in **Attachment A**.

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. While not being federally funded, in the environmental analysis Caltrans found the project qualified for a Categorical Exclusion from the National Environmental Policy Act (“NEPA”).

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 hearing they submitted a letter urging the County and Caltrans to come to a mutually agreeable solution to this issue. 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 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.

FINANCING:

Funding for staff time associated with this project is included in the FY 23/24 Adopted Budgets for HCD. 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, Acting Director of Housing & Community Development

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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 - Big Sur LUAC Recommendation

Attachment H - Historic Resources Review Board Recommendation

Attachment I - February 22, 2024, Caltrans Submittal Package (with updated cover letter submitted March 8 2024)

Attachment J - Caltrans and FHWA Memos

Attachment K - Additional Correspondence and Message Regarding Bridge Rail Design Exceptions

cc: Front Counter Copy; Planning Commission; Craig Spencer, Chief of Planning; Phil Angelo, Planner; Mitch Dallas, Caltrans (applicant); 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.