MONTEREY COUNTY

HOUSING AND COMMUNITY DEVELOPMENT

Erik V. Lundquist, AICP, Director

HOUSING, PLANNING, BUILDING, ENGINEERING, ENVIRONMENTAL SERVICES 1441 Schilling Place, South 2nd Floor Salinas, California 93901-4527

(831) 755-5025 www.co.monterey.ca.us

Address: Zip Code: Telephone: Zip Code: Applicant's interest in property [Owner, Buyer, Representative, etc.] Applicant's interest in property [Owner, Buyer, Puyer, Buyer,		DEVELOPMENT PROJEC	JI APP	LICATION	
Rezoning			П	Tontativo Pa	proof Man [Minor Subdivision]
Administrative Permit [Coastal/Non-Coastal]					
Use Permit Variance Design Approval General Development Plan General Plan Amendment [L.U.P. or C.I.P.] General Plan Amendment General Plan Amendment [Coastal/Non-Coastal] General Plan Amendment [Coastal/Non-Coastal] Owner's Name: Clity: State: Telephone: Zip Code: Applicant's Name: Address: Telephone: Zip Code: Zip Code: Applicant's interest in property [Owner, Buyer, Representative, etc.] Applicant's interest in property [Owner, Buyer, Representative, etc.] Applicant's interest in property [Owner, Buyer, Representative, etc.] Applicant's interest of property [Owner State Clity: State: Telephone: Zip Code: Zip Code: Applicant's interest of property [Owner State Clity: State: Telephone: Zip Code: Zip					
Variance		<u>-</u>			
Design Approval Lot Line Adjustment General Development Plan Revised Prinal Map Amended Final Map Amended Parcel Map Amended Parcel Map Revised Prinal Map Amended Parcel Map Revised Prinal Map Amended Parcel Map Revised Prinal Map Revi	_		_		
General Development Plan					
Coastal Development Permit			_		
Modification of Conditions Amended Final Map Amended Fracel Map Amended Fracel Map Amended Fracel Map Subdivision Extension Request Other					
General Plan Amendment [L.U.P. or C.I.P.]					
General Plan Amendment Gustal/Non-Coastal Other					
Minor Amendment [Coastal/Non-Coastal]					
Owner's Name: Address: City: State:		General Plan Amendment		Subdivision	Extension Request
Owner's Name: Address: City: State:		Minor Amendment [Coastal/Non-Coastal]		Other	
Address: Zip Code: Zip Code: Applicant's Name: Address: City: State: Address: City: State: Telephone: Zip Code: Applicant's interest in property [Owner, Buyer, Representative, etc.] Applicant's interest in property [Owner, Buyer, Representative, etc.] Property address and nearest cross street: Assessor's Parcel Number[s]: Current Zoning: Property area [acres or square feet]: Describe the proposed project: Replace the deteriorated nonstandard concrete bridge and approach rall on the Garrapata Creek Bridge. REZONING OR AMENDMENT ONLY: The applicant wishes to amend Section of the Monterey County Code, from a Zoning District to a Zoning District or some other classification. REZONING OR AMENDMENT ON COASTAL PLAN AMENDMENT ONLY: Describe the proposed amendment: GENERAL PLAN AMENDMENT OR COASTAL PLAN AMENDMENT ONLY: Describe the proposed amendment: Lease: Financing: Other: WILL THE ADJUSTMENT INFORMATION ONLY: What is the purpose I the adjustment: : WILL THE ADJUSTMENT RELOCATE THE BUILDING AREA? Yes No ADJUSTED PARCEL SIZE[S]: Owner's Name [Please Print] Owner's Name [Please Print]					
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13. VARIANCES ONLY: Describe the proposed variance:			_		

14. If new or additional construction is proposed, co	•					
A. Residential Development: Single Family		_				
No. of covered parking spaces No. B. Commercial or Industrial Development:	of uncovered parking spaces Lot Coverage % lo. of employees [include all shifts]					
No. of covered parking spaces	No. of uncovered parking spaces					
No. of Loading Spaces	Lot Coverage %					
15. Will grading or filling be required: Yes						
16. Will the project require placement of structures, roads.		-				
17. Will any trees be removed: Yes □ No □	If yes, indicate the number, specie[s] and diameter:					
Other vegetation to be removed:						
18. How will water be supplied: Individual Wells	Mutual System					
Name of Public or Private Water System:						
19. How will sewage or other waste be disposed:						
Name of Public or Private Sewer System:						
20. Is this land currently in row crop production:	Yes No	_				
22. Is this land under an Agricultural Preservation C						
23. Is this proposed project located on a hazardous waste facility: Yes □ No □ [Government Code 65962.5]. [A list of hazardous waste sites is maintained by the Environmental Health Dept., Phone 831-755-4500.]						
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PLN220090

MONTEREY COUNTY

HOUSING AND COMMUNITY DEVELOPMENT

Erik V. Lundquist, AICP, Director

HOUSING, PLANNING, BUILDING, ENGINEERING, ENVIRONMENTAL SERVICES 1441 Schilling Place, South 2nd Floor Salinas, California 93901-4527

(831)755-5025 www.co.monterey.ca.us

COASTAL DEVELOPMENT PERMIT - SUPPLEMENTAL APPLICATION

	Property Owner's Name:					
	Assessor's Parcel Number (s):					
	Project File Number:					
	Has any application for development on this site be If yes, provide a copy of the permit, including any Lot Coverage Existing	attachments.	Proposed	stal Commission?	Total	
		sq. ft. sq. ft.	sq. ft. sq. ft.			sq. ft. sq. ft.
	NOTES:	<u></u>	sq. 1t.			sq. 1t.
	BUILDING COVERAGE Coverage means any area covered by a buil and other similar non-useable areas, Also ex					
	FLOOR AREA RATIO (Carmel Area La Floor area is the total combined gross floo from the exterior face of the enclosing wa buildings, finished basements, guesthouses maintained entirely below ground, including	or area of all floors of alls. Floor area shall s, studios, garages an	ontained in all buildings include, but not limited d carports. Areas of enc	to all enclosed spa	ces wit	hin all
	The floor area ratio shall not apply to anew the legally described lot coincides or is generated.			ilar projects where b	y their	design
3.	Total number of floors or stories in structures			_		
4.						
5.	Are utility extensions proposed to be above ground	1?		Yes	□ N	No 🗌
	If yes, indicate number of new poles and submit a		sion plan	Number of poles :		
Pı	roject Information				Yes	No
6.	Does this project or the parcel on which it is locate a. Demolition or removal of existing hous If yes, give value of owner occupied u	sing units:	ly rent or rental unit:			
	b. Perennial or intermittent streams, lakes					
	c. Existing or proposed provisions for pub	blic access to the shor	reline?		\Box	
	d. Existing or proposed trail use or easem	ents?			$\bar{\sqcap}$	Ī
Si	I/We state that as the owner(s) for the Coastal D and know the contents herein. I/We declare undamp submitted herewith are true and correct to the gnature of Owner Witch Dallas	er penalty of perjury	that the information cor			
o:	gnature of Applicant Witch Dalle		Date			
				-		
	OTE: This supplemental application must be return cocedure Sheet.	urned with the Deve	iopment Permit Applica	ition and Instructio	n and	
	FOR DEPARTMENT USE ONLY					
	Appealable to California Coastal Comm	nission?		Ye	S	No □
	2. Area of original jurisdiction?	11551011 :			İ	H
	3. Public access required?					
	4. Within a public viewshed?				1	

Scope of Work Garrapata Creek Bridge Rail Replacement Project (PLN220090)

The California Department of Transportation (Caltrans) proposes bridge rail replacements on the historic Garrapata Creek Bridge (built 1931) post mile 63.0 bridge # 44-0018 along the Big Sur Coast to bring the facility up to current traffic safety standards and to ensure the safety and reliability of Highway 1. The Garrapata Creek bridge rails have received a poor rating in the State of California Bridge Inventory Status Report and show various levels of deterioration and are in need of replacement.

Garrapata Creek Bridge is located approximately 11.3 miles south of Carmel-By-The-Sea. The Garrapata Creek Bridge contributes to the Carmel-San Simeon State Highway Historic District. The Garrapata Creek Bridge structure is eligible for listing on the National Register of Historic Places. The project is on and visible from the public highway. A programmatic Environmental Impact Report (EIR) under CEQA was performed for the railing replacements for six bridges (Tier I analysis) along the Big Sur coast and a project-specific EIR under CEQA was performed for the Garrapata Creek Bridge Rail Replacement project (Tier II analysis) in an Final EIR. The Garrapata Creek Bridge Rail Replacement project was determined to qualify for a Categorical Exclusion under NEPA.

An Aesthetic Design Advisory Committee (ADAC) was created and facilitated by Caltrans comprising members of the Coastal Commission, Monterey County and members of the public to assist with aesthetic design decisions related to the proposed bridge rail replacement on the Garrapata Creek Bridge. Members of the ADAC were asked to:

- Help define important visual characteristics relating to the physical, environmental, and historic setting;
- Participate in the aesthetic design development process; and
- Ensure project features met aesthetic design objectives consistent with community values, the Big Sur Coast Highway Management Plan, and National and State Scenic Byway goals.

A consensus of community citizen representatives stated that their preferred aesthetic preference was to simply repair the existing bridge rail or replace it in kind. However, keeping the existing bridge rail is not feasible due to age and the existing design configuration does not meet current safety standards (i.e., American Association of State Highway and Transportation Officials [AASHTO] safety and crash test requirements, which are found in the Manual for Assessing Safety Hardware [MASH]). Of the rail types available that do meet current Federal and State safety standards, the ADAC recommended the Type 86H (Modified) concrete barrier (see Attachment B, ADAC Meeting Summary and Recommendations). It was further recommended that the color and finish of the barrier should match the appearance of the existing barrier's aged concrete as closely as possible.

All work would be conducted within the existing State right-of-way. Construction would remove the existing rail along with the existing 1-foot overhang on each side of the bridge deck and widen the deck 3 inches on each side to place the new standard rails. No work would occur in Garrapata Creek. Debris from removal of the existing rail and overhang would be kept from entering Garrapata Creek by either affixing a debris containment system to falsework hung from the top of

the bridge or using an excavator with a bucket designed to catch the debris. Existing vehicle pull outs will be used by the contractor for staging.

An existing dirt temporary access road on the inland side of the highway will be used to construct the project. There are no utility conflicts. The Garrapata Creek Bridge is currently already undergoing electrochemical chloride extraction (ECE) treatment; travel along the bridge is already down to one lane with temporary traffic signals located on each end of the bridge to regulate traffic across the bridge. The temporary signals and travel along one lane would continue through the duration of the rail replacement project. The project would begin construction in the 2023/2024 fiscal year and is expected to take about a year complete.

Legal interest documents and an APN map for the Garrapata Creek Bridge Railing project area are contained in Attachments B and C of this application. Attachment D contains a project location map and vicinity map. Site photos are contained in Attachment E. A summary of the ADAC meetings and recommendations is contained in Attachment F. Project plans are contained in Attachment G. CEQA and NEPA documentation and technical studies are contained in Attachments H and I, respectively.

Summary of Impacts:

Wetlands, ESHA, Water Quality and Other Biological Resources

A Natural Environment Study (Minimal Impact) (NES-MI) has been prepared for the Garrapata Creek Bridge Rail Replacement Project and is contained in Attachment I. The project will not impact any jurisdictional wetland areas or other waters. All work will occur from above the bridge decks and will not impact any creeks riparian areas below the bridges. No special-status plant species were observed during appropriately timed floristic surveys. Protocol surveys for the federally endangered Smith's blue butterfly (*Euphilotes enoptes smithi*) were conducted in 2018 and 2019. No Smith's blue butterflies were observed. One California species of special concern, a deceased Monterey big-eared woodrat (*Neotoma macrotis luciana*) was discovered under a bridge abutment. Measures (below) have been incorporated to avoid impacts to woodrats. Garrapata Creek is federally designated critical habitat for south-central California coast steelhead (*Oncorhynchus mykiss irideus*); however, this habitat would not be affected by the proposed project.

The following general avoidance and minimization measures will be implemented to protect biological resources:

- Avoidance and minimization of ground disturbance due to project related actions will be achieved with the establishment of Environmentally Sensitive Areas (ESAs). The ESAs will ensure that unnecessary disturbance does not occur outside of the project limits. ESA limits will be depicted on the final layout plans.
- Five days prior to the beginning of work, the Resident Engineer shall meet with the Project Biologist in the field at the project site for the identification of select locations where ESA fence and flagging shall be incorporated.
- All equipment staging and material storage, stockpile, disposal, and borrow sites must be
 inspected for potentially sensitive biological resources prior to use or equipment
 mobilization. If sites are selected other than those already designated on the approved
 project plans, the Resident Engineer shall contact the Environmental Construction Liaison

or Project Biologist no less than two weeks prior to use of equipment staging and material storage, stockpile, disposal, and borrow sites. If sensitive biological resources are found at such sites, then new locations shall be selected.

The following avoidance and minimization measures will be implemented to protect Monterey bigeared woodrat:

- Prior to implementation of proposed project activities, a pre-construction visual survey will be conducted by a Caltrans biologist within suitable woodrat habitat in the API to determine the presence or absence of woodrat nests.
- If woodrat nests are located during this survey, the biologist will flag the area to establish a 25-foot buffer around active nests where work would not occur.
- If nests are present in a location that cannot be avoided by work activities, a Caltrans biologist will dismantle the woodrat nest by hand immediately prior to work, allowing individuals to move out of the area.

The following avoidance and minimization measures will be implemented for all nesting birds:

Prior to construction, a nesting bird survey will be conducted by a Caltrans biologist to determine presence/absence of nesting birds within the project area, if construction activities are to take place during the typical nesting season (February 1- September 30). If an active nest of a migratory bird is discovered, all work will cease until a Caltrans biologist determines an appropriate buffer and monitoring strategy based on the habits and needs of the species. The buffer area will be avoided until a qualified biologist has determined that juveniles have fledged. Active nests shall not be disturbed and eggs, or young of birds covered by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code shall not be killed, injured, or harassed at any time.

Coastal Hazards

There would be no impacts to geology or soils as a result of the project. All work is planned on previously disturbed areas within the roadway prism. In addition, as noted in the EIR for the project, it is expected that California may be vulnerable to climate change effects that relate to temperature, wildfire, precipitation, storm surge, and sea level rise. Though the analysis of climate change risk involves a degree of uncertainty relating to the timing and intensity of potential risks, it is not expected that the Big Sur Historic Bridges (including the Garrapata Creek Bridge) would be particularly vulnerable to the effects of climate change, and construction of the project itself is not expected to locally worsen the effects of climate change.

Archaeological Resources and Tribal Consultation

The Garrapata Creek Bridge Rail Replacement project is expected to significantly impact the historic Garrapata Creek Bridge. Caltrans, pursuant to Section 106 Programmatic Agreement Stipulation X.C, has determined a Finding of Adverse Effect is appropriate for this undertaking, and received State Historic Preservation Officer's concurrence in this determination. Detailed mitigation measures have been finalized in the Memorandum of Agreement between Caltrans and the State Historic Preservation Officer and include preparation of Historic American Building Survey/Historic American Engineering Record/Historic American Landscape Survey (HABS/HAER/HALS) documentation for the railing.

Public Access and Recreation

The project proposes improvements to a highway bridge that provides access to various State Parks and National Forest recreational areas along the Big Sur coast. Impacts to parks or recreational facilities are not expected

The project may result in minor traffic delays during construction. One-way traffic control with traffic control signals will be required throughout the construction period. Bicycles will be allowed to share the road with vehicles during all stages of construction. There will be no permanent traffic or transportation impacts.

Visual Resources

The Garrapata Bridge Rail Replacement project was determined to result in a loss of scenic vistas, substantial reduction of visual quality and character, and loss of visual access to coastal scenic resources.

Scenic vistas are defined as panoramic views that have high quality compositional and picturesque value. Scenic vistas throughout the project area include expansive mid-to-distant views of the Pacific Ocean, the rocky shoreline, dramatic topography and hillsides, native vegetative patterns, and undeveloped landscapes. The historic bridge is also an important contributor to the scenic vistas throughout the area.

The most noticeable aspect of the project would be new bridge rails. Current safety standards require that the new railing would have smaller openings Other potential visual changes associated with the project include concrete anchor blocks adjacent to the bridges, and a small amount of vegetation removal (200 square feet).

Many of these proposed elements would block or reduce visual access to coastal scenic vistas and scenic resources as seen from State Route 1, an Officially Designated State Scenic Highway and National Scenic byway.

The existing visual quality and character of the Big Sur Coast is based to a large degree on its rugged topography and coastline, sweeping ocean views, historic structure, undeveloped setting, and native vegetation patterns. The highway itself reinforces the overall rugged and rural character because of its curvilinear alignment and generally narrow appearance.

Local, state and federal planning documents base the high visual quality of this route mostly on the striking views of the ocean, the dramatic topography, the native vegetative patterns, and the relatively natural character of the roadside environment. Within the project limits, the bridge is historic and an iconic scenic feature of the California coast.

The project would slightly modify the visual character of the location. Loss of important architectural elements would fundamentally alter the visual experience of traveling the Big Sur Coast along State Route 1. In addition, the overall effect of these changes would be a safer, slightly larger scale, and more contemporary highway facility.

Based on visual analysis and review of coastal planning policies, it was found that the existing high visual quality of the area is mostly due to the following:

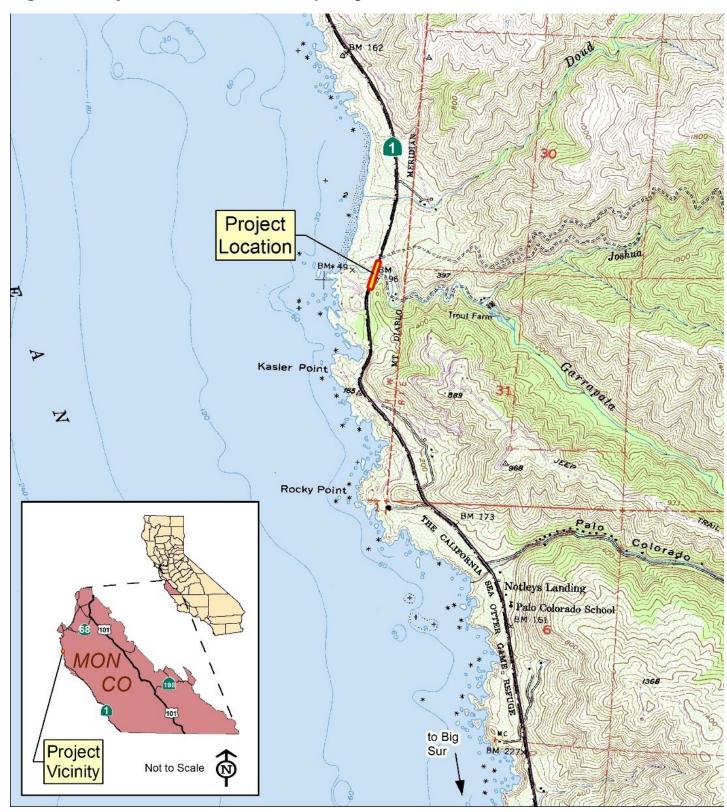
Visual access to historic structures and roadside elements.

- Exaggerated topographic relief.
- Dramatic vistas of the Pacific Ocean.
- Minimal visual encroachment of constructed elements.
- Harmonious visual pattern of the diverse native vegetation on the hills and ground plane.
- Combination of alternating distant vistas and narrowing view caused by undulating landform.

To maintain these visual quality elements and decrease potential negative visual impacts caused by the project, as discussed above, the community was involved through the ADAC in the design of the aesthetic project features. In addition, the following measures were implemented in the design of the rail and/or will be implemented:

- Use an open-style bridge rail that minimizes view blockage.
- Use the smallest end blocks possible that meet safety needs.
- Use finish colors and textures that minimize reflectivity and glare.
- Re-contour all disturbed areas and construction access roads to a natural appearance.
- Vegetate all stabilized soil areas with native shrubs and grasses as appropriate.
- Bury all over-side drains and inlet structures or hide them from view to the greatest extent possible. Where unavoidably exposed to view, color the pipes to reduce noticeability, and dull the gloss of the finish.

Figure 1: Project Location and Vicinity Map



Photograph 1: View from under Garrapata Creek bridge



Photograph 2: View looking down the slope where the proposed access road will be cleared



Photograph 7: Iceplant mat vegetation cover under south end of the bridge.



Photograph 8: Proposed staging area on south end of the bridge.





Armando Quintero, Director

DEPARTMENT OF PARKS AND RECREATION OFFICE OF HISTORIC PRESERVATION

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March 10, 2021

VIA EMAIL In reply refer to: FHWA 2021 0114 001

CATRA_2021_0114_001

Mr. David Price Cultural Studies Office Division of Environmental Analysis 1120 N Street, PO Box 942873, MS-27 Sacramento, CA 94273-0001

Subject: Finding of Effect for the Proposed Garrapata Creek Bridge Rail Replacement Project, Monterey County, California

Dear Mr. Price:

Caltrans is initiating consultation regarding the above project in accordance with the January 1, 2014 First Amended Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the California State Historic Preservation Officer (SHPO), and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA) and the January 2015 Memorandum of Understanding between the California Department of Transportation and the California State Historic Preservation Officer Regarding Compliance with Public Resources Code Section 5024 and Governor's Executive Order W-26-92 (MOU). As part of your documentation, Caltrans submitted a Historic Property Survey Report (HPSR), an Archaeological Survey Report, and a Finding of Adverse Effect report for the proposed project.

Caltrans District 5 proposes to replace the railings on the Garrapata Creek Bridge (Bridge No.44-0018), which is a state-owned bridge that is individually eligible to the National Register of Historic Places (NRHP) and is also a contributing resource in the Carmel-San Simeon Highway Historic District (CSSHHD). The proposal includes replacing the deteriorated nonstandard concrete baluster bridge rail and approach railing on the Garrapata Creek Bridge with a rail that meets the American Association of State Highway and Transportation Officials (AASHTO) safety and crash test requirements, which are found in the Manual for Assessing Safety Hardware (MASH), as well as the Caltrans design specifications. Because the existing railing does not meet MASH standards it cannot be replaced in kind. A suitable replacement railing with different physical dimensions, including a larger base and baluster and smaller arched openings, is currently being developed by Caltrans Structures Design (Type 86).

Compliant railing types from other states (Type C412) are also being considered as an alternative.

Caltrans has applied the criteria of adverse effect, pursuant to Stipulation X.A of the Section 106 PA and 36 CFR § 800.5(a)(1), and determined that the project will have an adverse effect on the Garrapata Creek Bridge, but will *not* adversely affect the CSSHHD. The project will have an **adverse effect** on the Garrapata Creek Bridge because the new replacement rails are required to have a greater thickness and slightly modified arch window shape; therefore the original rails cannot be replaced in kind to meet the Secretary of the Interior's Standards for the Treatment of Historic Properties. The project will have **no adverse effect** to the CSSHHD because the district is 75 miles long and the project is currently only replacing the rails on the one bridge. The district will otherwise maintain integrity to its time period.

Based on review of the submitted documentation, I have no objections to the above findings.

If you have any questions, please contact Natalie Lindquist at (916) 445-7014 with e-mail at natalie.lindquist@parks.ca.gov.

Sincerely,

Julianne Polanco

State Historic Preservation Officer

MEMORANDUM OF AGREEMENT

BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER REGARDING THE GARRAPATA CREEK BRIDGE RAIL REPLACEMENT PROJECT, MONTEREY COUNTY, CALIFORNIA

WHEREAS, pursuant to §23 U.S.C. the Federal Highway Administration (FHWA), has assigned and California Department of Transportation (Caltrans, including all subordinate divisions defined below) has assumed FHWA responsibility for environmental review, consultation, and coordination under the provisions of the *Memorandum of Understanding (MOU) between the Federal Highway Administration and the California Department of Transportation Concerning the State of California's Participation in the Project Delivery Program Pursuant to 23 U.S.C. 327*, which became effective on December 23, 2016, and applies to this undertaking; and,

WHEREAS, pursuant to the January 2014 First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal-Aid Highway Program in California (Section 106 PA), Caltrans is deemed to be a federal agency for all highway-aid projects it has assumed, and in that capacity Caltrans has assigned the role of "agency official" to the Caltrans Division of Environmental Analysis (DEA) Chief for the purpose of compliance with 36 CFR 800 and is responsible for oversight of District environmental responsibilities. To provide for effective compliance, day-to-day responsibilities and coordination of the Section 106 process are further delegated to the DEA Cultural Studies Office (CSO) Chief; and

WHEREAS, Caltrans proposes to implement the federally funded Garrapata Creek Bridge Rail Replacement Project (Undertaking), which will remove and replace the rails on the Garrapata Creek Bridge (Bridge No. 44 0018), a State-owned bridge located at post mile 62.97 on State Route 1 near Big Sur, an unincorporated community along the Big Sur Coast in Monterey County, as described in Attachment A to this Memorandum of Agreement (MOA); and

WHEREAS, the Undertaking's Area of Potential Effects (APE), included in Attachment B, includes all areas where work is proposed and the known or reasonably anticipated boundaries of any built environment or archaeological resources, which may experience direct or indirect effects as a result of the Undertaking; and

WHEREAS, Caltrans has determined that the Undertaking will have an adverse effect on the Garrapata Creek Bridge (No. 44 0018), a property determined to be eligible for inclusion in the National Register of Historic Places (National Register); and

WHEREAS, Caltrans has consulted with the California State Historic Preservation Officer (SHPO) pursuant to stipulation X.C and XI of the Section 106 PA, and where the Section 106 PA so directs, in accordance with 36 CFR Part 800, the regulation that implements Section 106 of the National Historic preservation Act of 1966 (16 U.S.C. 470f), as amended, regarding the Undertaking's effect on historic properties; and

WHEREAS, Caltrans, in consultation with the SHPO, has thoroughly considered alternatives to this Undertaking and has determined that the Undertaking's adverse effects cannot be avoided, and that implementation of the treatments set forth in Stipulation II of this MOA will satisfactorily take into account the Undertaking's adverse effects on the historic property; and

WHEREAS, Caltrans District 5 has a responsibility to fulfill the terms of this MOA and is participating as an invited signatory; and

NOW, THEREFORE, Caltrans and the SHPO agree that if the Undertaking proceeds, the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the Undertaking on historic properties, and further agree that these stipulations shall govern the Undertaking and all of its parts until this MOA expires or is terminated.

STIPULATIONS

Caltrans shall ensure that the following stipulations are carried out:

I. AREA OF POTENTIAL EFFECT

- A. The Area of Potential Effect (APE) was designated in accordance with Stipulation VIII.A of the Section 106 PA and is depicted in Attachment B of this MOA. The APE includes the entire area where the project may have potential to directly or indirectly affect cultural resources. This includes the footprint and area immediately surrounding the bridge, any areas where ground disturbance or work in the creek may occur, and associated construction access and staging areas. The Garrapata Creek Bridge (No. 44 0018) and the Carmel San Simeon Highway Historic District (CSSHHD), of which the bridge is a contributing element, are the only two (2) historic properties located within the APE.
- B. If Caltrans determines that additional APE revisions are necessary subsequent to the execution of this MOA, Caltrans shall inform the parties to the MOA of the revisions and consult for no more than 15 days to reach agreement on the proposed revisions. If Caltrans, the SHPO, and other appropriate signatories cannot reach such agreement, then the parties to this MOA shall resolve the dispute in accordance with Stipulation VI.C below. If all parties reach mutual agreement on the proposed revisions, Caltrans will submit a new APE map reflecting the revisions, consistent with Stipulation VIII.A and Attachment 3 of the Section 106 PA, no later than 30 days following such agreement. Any further investigation or document necessitated by the revised APE will follow the procedures for the identification and evaluation of potential Historic Properties as specified in Stipulation VIII of the Section 106 PA and in accordance with 36 CFR §800.4(a)(2-4) and 88.4(b). Amendment of the APE will not require an amendment to the MOA. The revised APE and supporting documentation shall be incorporated into Attachment B to this MOA.

II. TREATMENT OF HISTORIC PROPERTIES

A. Historic American Engineering Record (HAER)

- 1. Prior to the start of construction, Caltrans shall contact the regional Historic American Building Survey/Historic American Engineering Record/Historic American Landscape Survey (HABS/HAER/HALS) coordinator at the National Park Service Interior Regions 8, 9, 10, and 12 Regional Office (NPS) to request that NPS stipulate the level of and procedures for completing the documentation. Within ten (10) days of receiving the NPS stipulation letter, Caltrans shall send a copy of the letter to all consulting parties for their information.
- 2. Caltrans will ensure that all recordation documentation activities are performed or directly supervised by architects, historians, photographers, and/or other professionals meeting the qualification standards in the Secretary of Interior's Professional Qualification Standards (36 CFR 61, Appendix A).
- 3. Upon receipt of the NPS written acceptance letter, Caltrans will make archival, digital and bound library-quality copies of the documentation and provide them to the Monterey County Historic Resources Review Board, the Monterey County Historical Society, the Big Sur Historical Society, the Carmel Heritage Society, the California Office of Historic Preservation, the Central Coast Information Center, and the California State Library.
- 4. Caltrans shall notify SHPO that the documentation is complete and all copies distributed, as outlined in Stipulation II.3, and include the completion of the documentation in the annual report. All field surveys shall be completed prior to the start of construction.

B. Completion of DPR 523 Inventory Forms for all seven (7) Big Sur Arches

- 1. Caltrans District 5 will hire qualified historical consultants to produce DPR 523 forms, including Primary Record Forms and Building Structure, Object Record Forms for all seven (7) of the historic concrete arch bridges within the Carmel San Simeon Highway Historic District (CSSHHD).
- 2. The seven DPR 523 records will include the six open spandrel concrete arch bridges specifically mentioned in the Tier I document (Big Creek, Bixby Creek, Rocky Creek, Garrapata Creek, Granite Canyon, & Malpaso Creek) as well as closed spandrel Wildcat Bridge, which is also a contributor in the CSSHHD and a thematically similar resource.
- 3. The information in the individual DPR 523 forms for each bridge will focus solely on the individual bridges, their specific historic design context and will highlight each resource's specific history within the broader contextual landscape of social, economic, and cultural trends leading to the opening of State Route 1 (SR-1) in Monterey County. This measure responds directly to comments received from consulting parties, and particularly by The Monterey County Historic Resources Review Board (MCHRRB) in their November 2020 letter to Caltrans regarding the Garrapata Creek Bridge Rail Replacement Project. This information will supplement and enhance the existing knowledge of the seven (7) Big Sur Arches, but requires a more detailed and focused historical analysis of these significant resources. As the current best historical information Caltrans has developed about each of the "Big Sur Arches" is limited to the broad focus of the Caltrans Statewide Historic Bridge Inventory and as contributing

features within the context of the district wide DPR 523 form for the entire CSSHHD, the value in updating the historical information on the these important bridges is recognized.

- 4. The information in the DPR Forms, including Primary Records and BSO Records, will be based on original research that expands on what is already known about these bridges which is contained the broader context of the Caltrans Statewide Historic Bridge Inventory and Carmel San Simeon Highway Historic District inventory forms.
- 5. The individual DPR 523 forms will include information such as high-quality color and/or black-and-white photographs, historic photographs and/or drawings as appropriate, and text describing the bridge's history and character-defining features.
- 6. Caltrans District 5 will distribute paper and digital copies of the DPR 523 inventory forms to the Office of Historic Preservation; the California Room of the California State Library; Caltrans District 5; and Caltrans Headquarters Library and History Center as well as with all relevant consulting parties, including the Monterey County Historic Resources Review Board, the Monterey County Historical Society, the Big Sur Historical Society, the Carmel Heritage Society and the Historic Bridge Foundation on request.

C. Lesson Plans

- 1. Caltrans District 5 will hire qualified consultants to develop and produce a lesson plan for elementary school aged students that focuses on historic significance of the bridge designs using Scientific, Technological, Engineering, or Mathematical (STEM) activities. The materials will include visual aids and activities that demonstrate the technical significance of the open spandrel concrete arch design.
- 2. All components of the lesson plan will meet the *Next Generation Science Standards* (NGSS) which (in *APPENDIX I Engineering Design in the NGSS*) encourage an emphasis on engineering design for newly developed science curricula. They will also meet the *History-Social Science Standards* as defined by the California Department of Education (CDE) to the extent they are applicable to the activities developed.
- 3. The lesson plan will be hosted on the interpretive website specified in stipulation II.D, which can be further used as a resource to highlight the historic significance of the bridges as important engineering achievements.
- 4. Caltrans will engage with the Monterey County Office of Education and the Monterey County Free Library System for distribution of the materials in order to ensure they are utilized and provide a benefit to the local community.

D. Interpretive Website

- 1. Caltrans District 5 will produce a website highlighting the history of the seven (7) Big Sur Arches in a manner that is accessible to the general public and provides public benefit.
- 2. The website will initially contain a main page focusing on the general history of the seven bridges included in the Tier 1 analysis, as well as at least one (1) page focusing on the Garrapata Creek Bridge individually. The website will also include pages to host the historic and modern photographs developed in part II.A, the historic context as

developed in part II.B, the lesson plans developed in part II.C, and additional information on the engineering and transportation history of the bridges as is deemed appropriate through future studies. The website will be structured so that it may be updated and expanded with additional pages that focus on the Big Sur Arches impacted through the future bridge rail replacement projects outlined in the current Tier 1 analysis or any other projects impacting the Big Sur Arches.

3. The website will be maintained for at least ten (10) years, and it is recognized that this time frame may be continually extended as additional projects mentioned in the Tier 1 analysis are proposed and implemented over time.

III.TREATMENT OF HUMAN REMAINS OF NATIVE AMERICAN ORIGIN

As legally mandated, human remains and related items discovered during the implementation of the terms of this Agreement and the Undertaking will be treated in accordance with the requirements of Health and Safety Code Section 7050.5(b). If pursuant to of Health and Safety Code Section 7050.5(c) the coroner determines that the human remains are or may be those of a Native American, then the discovery shall be treated in accordance with the provisions of Public Resources Code Sections 5097.98 (a)(d). Caltrans, as the landowner, shall ensure, to the extent possible, that the views of the Most Likely Descendent(s), as determined by the California Native American Heritage Commission, is taken into consideration when decisions are made about the disposition of Native American human remains and associated objects.

IV. DISCOVERIES AND UNANTICIPATED EFFECTS

If Caltrans determines after construction of the Undertaking has commenced, that either the Undertaking will affect a previously unidentified property that may be eligible for the National Register, or affect a known historic property in an unanticipated manner, Caltrans will address the discovery or unanticipated effect in accordance with 36 CFR §800.13(b)(3). Caltrans at its discretion may hereunder and pursuant to 36 CFR §800.13(c) assumes any discovered property to be eligible for inclusion in the National Register.

V. ADMINISTRATIVE PROVISIONS

A. Standards

- 1. **Definitions.** The definitions provided in 36 CFR § 800.16 are applicable throughout this MOA.
- 2. Professional Qualifications. Caltrans will ensure that only individuals meeting the Secretary of the Interior's Professional Qualification Standards (48 FR 44738-39) (PQS) in the relevant field of study carry out or review appropriateness and quality of the actions and products required by Stipulations I through IV in this MOA. However, nothing in this stipulation may be interpreted to preclude Caltrans or any agent or contractor thereof from using the properly supervised services of persons who do not meet the PQS.
- 3. **Documentation Standards**. Written documentation of activities prescribed by Stipulations I through IV of this MOA shall conform to *Secretary of the Interior's*

Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716-44740) as well as to applicable standards and guidelines established by the SHPO.

4. **Curation and Curation Standards.** Caltrans shall ensure that, to the extent permitted under § 5097.98 and § 5097.991 of the California Public Resources Code, the materials and records resulting from the activities prescribed by this MOA are curated in accordance with 36 CFR §79.

B. Confidentiality

The MOA parties acknowledge that the historic properties covered by this MOA may be subject to the provisions of § 304 of the NHPA and § 6254.10 of the California Government Code (Public Records Act), relating to the disclosure of archaeological site information and, having so acknowledged, will ensure that all actions and documentation prescribed by this MOA are consistent with said sections.

C. Resolving Objections

- 1. Should any party to this MOA object at any time in writing to the manner in which the terms of this MOA are implemented, to any action carried out or proposed with respect to implementation of the MOA (other than the Undertaking itself), or to any documentation prepared in accordance with and subject to the terms of this MOA, Caltrans shall immediately notify the other MOA parties of the objection, request their comments on the objection within 15 days following receipt of Caltrans' notification, and proceed to consult with the objecting party for no more than 30 days to resolve the objection. Caltrans will honor the request of the other parties to participate in the consultation and will take any comments provided by those parties into account.
- 2. If the objection is resolved during the 30-day consultation period, Caltrans may proceed with the disputed action in accordance with the terms of such resolution.
- 3. If at the end of the 30-day consultation period, Caltrans determines that the objection cannot be resolved through such consultation, then Caltrans shall forward all documentation relevant to the objection to the ACHP, including Caltrans' proposed response to the objection, with the expectation that the ACHP will, within thirty (30) days after receipt of such documentation:
 - a. Advise Caltrans that the ACHP concurs in Caltrans' proposed response to the objection, whereupon Caltrans will respond to the objection accordingly. The objection shall thereby be resolved; or
 - b. Provide Caltrans with recommendations, which Caltrans will take into account in reaching a final decision regarding its response to the objection. The objection shall thereby be resolved; or
 - c. Notify Caltrans that the objection will be referred for comment pursuant to 36 CFR § 800.7(c) and proceed to refer the objection and comment. Caltrans shall take the resulting comments into account in accordance with 36 CFR § 800.7(c)(4) and Section 110(1) of the NHPA. The objection shall thereby be resolved.

- 4. Should the ACHP not exercise one of the above options within 30 days after receipt of all pertinent documentation, Caltrans may proceed to implement its proposed response. The objection shall thereby be resolved.
- 5. Caltrans shall take into account any of the ACHP's recommendations or comments provided in accordance with this stipulation with reference only to the subject of the objection. Caltrans' responsibility to carry out all actions under this MOA that are not the subjects of the objection shall remain unchanged.
- 6. At any time during implementation of the measures stipulated in this MOA, should a member of the public raise an objection in writing pertaining to such implementation to any signatory party to this MOA, that signatory party shall immediately notify Caltrans. Caltrans shall immediately notify the other signatory parties in writing of the objection. Any signatory party may choose to comment in writing on the objection to Caltrans. Caltrans shall establish a reasonable time frame for this comment period. Caltrans shall consider the objection, and in reaching its decision, Caltrans will take all comments from the other signatory parties into account. Within 15 days following closure of the comment period, Caltrans will render a decision regarding the objection and respond to the objecting party. Caltrans will promptly notify the other signatory parties of its decision in writing, including a copy of the response to the objecting party. Caltrans' decision regarding resolution of the objection will be final. Following issuance of its final decision, Caltrans may authorize the action subject to dispute hereunder to proceed in accordance with the terms of that decision.
- 7. Caltrans shall provide all parties to this MOA, and the ACHP, if the ACHP has commented, and any parties that have objected pursuant to section C of this stipulation, with a copy of its final written decision regarding any objection addressed pursuant to this stipulation.
- 8. Caltrans may authorize any action subject to objection under this stipulation to proceed after the objection has been resolved in accordance with the terms of this stipulation.

D. Amendments

- 1. Any signatory party to this MOA may propose that this MOA be amended, whereupon all signatory parties shall consult for no more than 30 days to consider such amendment. The amendment will be effective on the date a copy signed by all of the original signatories is filed with the ACHP. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate the agreement in accordance with Stipulation E, below.
- 2. Attachments to this MOA may be amended through consultation as prescribed in Section B of Stipulation I or Section D of Stipulation V, as appropriate, without amending the MOA proper.

E. Termination

1. If this MOA is not amended as provided for in section D of this stipulation, or if either signatory proposes termination of this MOA for other reasons, the signatory party proposing termination shall, in writing, notify the other MOA parties, explain the

reasons for proposing termination, and consult with the other parties for at least 30 days to seek alternatives to termination. Such consultation shall not be required if Caltrans proposes termination because the Undertaking no longer meets the definition set forth in 36 CFR § 800.16(y).

- 2. Should such consultation result in an agreement on an alternative to termination, the signatory parties shall proceed in accordance with the terms of that agreement.
- 3. Should such consultation fail, the signatory party proposing termination may terminate this MOA by promptly notifying the other MOA parties in writing. Termination hereunder shall render this MOA without further force or effect.
- 4. If this MOA is terminated hereunder, and if Caltrans determines that the Undertaking will nonetheless proceed, then Caltrans shall comply with the requirements of 36 CFR 800.3-800.6, or request the comments of the ACHP pursuant to 36 CFR Part 800.

F. Duration of the MOA

The duration of the MOA will be five (5) years following the date of execution by the signatory parties. If Caltrans determines that this requirement cannot be met, the MOA parties will consult to reconsider its terms. Reconsideration may include continuation of the MOA as originally executed, amendment of the MOA, or termination. In the event of termination, Caltrans will comply with Section E of this Stipulation if it determines that the Undertaking will proceed notwithstanding termination of this MOA.

G. Reporting Requirements and Related Reviews

- 1. Caltrans shall prepare an Annual Report documenting actions carried out pursuant to this MOA. The reporting period shall commence one year from the date of execution. The Annual Report shall be distributed to all consulting parties to this MOA.
- 2. The Annual Report shall address the following: any scheduling changes proposed, historic property surveys and results, status of treatment and mitigation activities, ongoing and completed public education activities, any uses that are affecting or may affect the ability of the federal agency to continue to meet the terms of this MOA, any disputes and objections received, and how they were resolved, and any additional parties who have become signatory or concurring parties to this MOA in the past year.
- 3. Caltrans shall coordinate a meeting of the Signatories and Consulting Parties to be scheduled within ninety (90) business days of distribution of the Annual Report, or another mutually agreed upon date, to discuss activities carried out pursuant to this MOA during the preceding year and activities scheduled for the upcoming year. This meeting, should it be deemed unnecessary, may be cancelled by mutual consent of the Signatory Parties.

H. Effective Date

This MOA will take effect on the date that it has been executed by Caltrans and the SHPO.

EXECUTION of this MOA by Caltrans and the SHPO, its filing with the ACHP in accordance with 36 CFR §800.6(b)(1)(iv), and subsequent implementation of its terms, shall evidence, pursuant to 36CFR§800.6(c), that this MOA is an agreement with the ACHP for purposes of Section 110(l) of the NHPA, and shall further evidence that Caltrans has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties, and that Caltrans has taken into account the effects of the Undertaking on historic properties.

MEMORANDUM OF AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER REGARDING THE GARRAPATA CREEK BRIDGE RAIL REPLACEMENT PROJECT, MONTEREY COUNTY, CALIFORNIA

Date 3/23/2021

SIGNATORY PARTY:

CALIFORNIA DEPARTMENT OF TRANSPORTATION

By Philip J. Stolarski

Chief, Division of Environmental Analysis

MEMORANDUM OF AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER REGARDING THE GARRAPATA CREEK BRIDGE RAIL REPLACEMENT PROJECT, MONTEREY COUNTY, CALIFORNIA

SIGNATORY PART	Y	•
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By	Date 3/23/2021
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Julianne Polanco State Historic Preservation Officer

MEMORANDUM OF AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER REGARDING THE GARRAPATA CREEK BRIDGE RAIL REPLACEMENT PROJECT, MONTEREY **COUNTY, CALIFORNIA**

INVITED SIGNATORY:	
CALIFORNIA DEPARTMENT OF TRANSPORT	TATION, DISTRICT 5
Mullo	
By Lundy July	Date 03/24/2021

Memorandum

To: CARLA YU

Project Manager

Caltrans District 5

Date: March 22, 2022

File: Garrapata Creek

Bridge Rail ADAC

05-1H800 0516000163

From: KRISTEN LANGAGER

Landscape Architecture

Caltrans District 5

Subject: GARRAPATA CREEK BRIDGE RAIL REPLACEMENT AESTHETIC DESIGN ADVISORY COMMITTEE

It is the intent of this memorandum to summarize the findings of the Garrapata Creek Bridge Rail Replacement Aesthetic Design Advisory Committee (ADAC) and to document the Type Selection determination made for the Garrapata Creek Bridge Rail Replacement project (EA 05-1H800). This determination will be used to guide the Caltrans project development team (PDT) as project details are developed.

Background

An Aesthetic Design Advisory Committee was created and facilitated by Caltrans to assist with aesthetic design decisions related to the proposed bridge rail replacement on the Garrapata Creek Bridge located in the Coastal Zone of Big Sur. Members of the ADAC were asked to:

- help define important visual characteristics relating to the physical, environmental, and historic setting.
- participate in the aesthetic design development process.
- ensure project features met aesthetic design objectives consistent with community values, the Big Sur Coast Highway Management Plan, and National and State Scenic Byway goals.

ADAC members participated in a series of 6 meetings and design charettes (workshops) conducted between October 5, 2021 and February 22, 2022. Working within specified constraints for technical engineering, safety, and cost, ADAC members collaborated to share relevant information, discuss aesthetic opportunities, and design options, and provide advisory recommendations to

the Caltrans project development team (PDT). As the Lead Agency, Caltrans has overall decision-making responsibility for the project.

Process

ADAC members were selected by Caltrans with assistance from Monterey County Planning representatives, California Coastal Commission staff, and the Big Sur Byways Organization. The core ten person ADAC membership was comprised of agency representatives and community citizens interested in the project's appearance and having a basic understanding of potential aesthetic design issues.

Caltrans technical experts, including engineers, architects, landscape architects, environmental specialists, and architectural historians were made available as a resource to the ADAC.

Recommendation

ADAC recommendations were consensus-based. Reviewing agency representatives contributed to the ADAC charette discussions but abstained from participating in the final recommendation due to future formal review process requirements.

A consensus of community citizen representatives stated that their preferred aesthetic preference was to simply repair the existing bridge rail or replace it in kind. However, keeping the existing bridge rail is not feasible due to age and the existing design configuration does not meet current safety standards. Of the rail types available that do meet current Federal and State safety standards, the ADAC recommended the Type 86H (Modified) concrete barrier (see Attachment 1). It was further recommended that the color and finish of the barrier should match the appearance of the existing barrier's aged concrete as closely as possible.

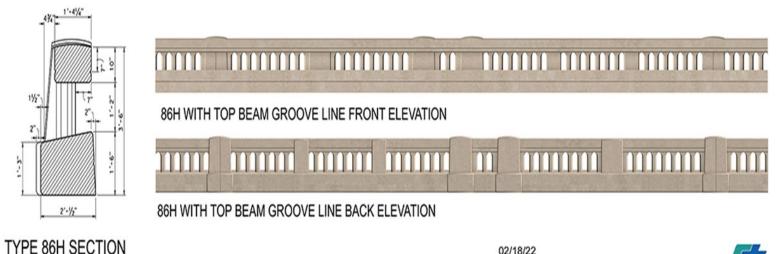
The Caltrans project design team accepted the ADAC's aesthetic recommendations and will continue further study and detail development based on this rail type selection.

Attachments

1. Type 86H Concrete Bridge Rail (Modified)



Type 86H Concrete Bridge Rail (Modified)



02/18/22



Prepared by: DES, Bridge Architecture and Aesthetics