

CALIFORNIA COASTAL COMMISSION

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F9b

MEMORANDUM

Date: November 17, 2022

To: Commissioners and Interested Persons

From: Shana Gray, Deputy Director
Peter Allen, Transportation Unit Program Manager

Subject: Addendum to Commission Meeting for Friday, November 18, 2022
Item F9b, CDP Application No. 1-22-0711
(Caltrans Jack Peters Creek Bridge)

The purpose of this addendum is to modify the recommended findings of the October 28, 2022 staff report to respond to comments received since publication of the staff report. After publication of the staff report, the Commission received three public comment letters. The correspondence is included in a correspondence packet posted to the Commission's website.¹ The Commission's responses below will be added as a **Response to Comments** section to the October 28, 2022 staff report as Finding IV-P (page 82).

Staff continues to recommend that the Commission, upon completion of the public hearing, approve the coastal development permit with the special conditions and findings included in the staff recommendation of October 28, 2022, as modified by the changes recommended herein.

I. Changes to the Findings

- Page 82: Add a new Finding IV-P – Response to Comments – as follows:

P. Response to Comments

The Commission received three public comment letters after publication of the original staff report (October 28, 2022) and before the Commission hearing (Nov. 18, 2022) that touch on several issues. The below responses are incorporated into the Adopted

¹ Weblink to correspondence: <https://documents.coastal.ca.gov/reports/2022/11/F9b/F9b-11-2022-corresp.pdf>

Findings for this application. Page numbers referenced below refer to the staff report published on October 28, 2022.

1) Nighttime closures, detours, and emergency response

Comments received express concern that full nighttime closures could impact local emergency service response times, including up to a 15-minute delay, and should require a full signed detour route. This issue is discussed in the Findings above on public access and temporary traffic impacts in section IV-F (p.39), including why requiring Caltrans to sign a detour route is infeasible. As stated in the findings there, the project will necessitate some nighttime road closures (up to 30 non-consecutive days). Nighttime road closures will be limited to 10:00 PM to 6:00 AM. Caltrans has agreed to limit nighttime road closures to no more than a maximum of five consecutive days of closure at any given time and only from Sundays through Thursdays. Caltrans will also provide advanced public noticing of upcoming closures so that the local community and visitors to the area are aware of the temporary traffic disruption and can plan accordingly.

With any full road closure, Caltrans has proposed measures to allow emergency vehicles to cross the bridge during such events, with some anticipated delays to allow Caltrans to move construction equipment. Caltrans has stated that all emergency response agencies in the project area would be notified of the project construction schedule and would have access to State Route 1 throughout the construction period. Caltrans has stated that there may in some instances be some minor delays as construction crews move any equipment to open a lane for emergency vehicles.

Special Condition 1(E) of the permit requires that Caltrans submit a Transportation Management Plan that “shall also provide for emergency services to cross the bridge during any one-way traffic lane or full road closures.” Practically, there are certain stages of construction when Caltrans needs full lane closures, and there are no practical alternatives (no nearby detours exist for example) to provide for quicker emergency access other than the procedure adopted, which is notice from the emergency responders and Caltrans moving any equipment blocking the bridge as quickly as possible. Commentators have not identified a procedure that could reopen the bridge quicker in emergency situations, and there do not appear to be alternatives that could avoid the limited full nighttime closures.

2) Safety of pedestrian users of new bridge walkway.

Comments received also express concern that pedestrian users of the new bridge walkway will be exposed to dangerous conditions as they leave the bridge headed toward Mendocino town. These comments request that Caltrans either create a shoulder on Lansing Street or expand Highway 1 shoulders from the bridge site to Little Lake Road, an intersection that brings one directly into the town. Currently, shoulders in this highway stretch vary but are generally four feet, though occasionally smaller. This issue is discussed in the Findings above on public access and the California Coastal Trail (CCT) in section IV-E (pp. 32-34). As discussed therein, Caltrans cannot create a shoulder on Lansing Street, because it is a county-owned road, currently used for 2-way

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traffic, and there is no room for a separated pedestrian access absent modification of the traffic pattern (e.g., shifting the roadway to 1-way and/or local traffic only), which requires action by Mendocino County. Caltrans has agreed to widen the shoulder in the part of Lansing Street that is in the state right-of-way, where it intersects Highway 1.

Also as discussed in the above Findings (pg. 34), the existing pullout space at the Lansing St. intersection will serve to largely protect pedestrians from highway traffic as they exit the bridge walkway. **Special Condition 1.F** requires Caltrans to submit a final plan of the proposed public access improvements that describe in detail the manner, location, and details how the improvements will provide sufficient pedestrian access to the creek and to connections north and south of the bridge.

Caltrans has proposed in this project to widen the shoulders to 6 feet through the project corridor which extends 300 feet south of Larkin Road, much of the distance to Little Lake Road. However, as discussed in the above Findings, shoulder width should be limited to four feet, which is consistent with the LCP standards and will minimize ESHA impacts. The public comments do not request a specific shoulder width but widening the shoulders beyond four feet may raise LCP inconsistency issues and have additional ESHA impacts. In any case, Caltrans is widening the shoulder within the project limits to four feet.

Extending the shoulder widening into the stretch south of Larkin Road to Little Lake Road is outside the scope of this project and would require a new Caltrans project to modify the shoulder widths. Additionally, much of the stretch south of Larkin Road to Little Lake Road is a two-lane highway, inappropriate for a segment of the CCT.

3) Public Participation.

Some comments received express concern over the amount/nature of the public community events Caltrans hosted and request time for additional input. Caltrans hosted two community events and conducted various other measures of outreach, such as meeting on site with affected neighbors. The Coastal Commission hearing on the matter is also open to the public, comments were received, including time allotted for public testimony at the public hearing, and the Commission's hearing was properly noticed in accordance with Commission regulations. Though not required, Caltrans has also committed to host ongoing regular virtual meetings with the community to get feedback and address additional community concerns.

4) Staging.

Some comments received express concern over the use of certain staging areas and suggest that additional notice should be given to residents within 100 feet of those staging areas. As discussed in the above Findings in section IV-A (p. 25), the decision on final construction staging locations will be finalized by the contractor, but primarily will be located within the project area proper. In addition, the project description states that the project may use two staging areas on undeveloped parcels within the town

limits of Mendocino. These areas would potentially be used for the storage of materials or equipment if the contractor chooses.

Special Condition 1.A requires Caltrans to submit final construction plans, including plans that identify all final staging areas and that set limits on the use of those staging areas. **Special Conditions 12 and 13** require Caltrans to obtain any other permits required. The use of any such staging locations in the town of Mendocino is outside the limits of the project area, which is described in the proposed project description as being Highway 1 from 300 feet south of Larkin road to 600 feet north of 500D. As noted in the attached Caltrans project description (Exhibit 4, p.1), the contractor is responsible for obtaining any permits or environmental clearances for any staging or material storage activities outside the project limits. Therefore, use of those staging areas is not authorized by this CDP.

5) Pile driving.

Comments received also raise concerns about the possible use of pile driving to strengthen the bridge abutments and piers. There is some confusion in this regard as Caltrans references the possible use of pile driving in the IS/MND and adopts some minimization measures, including the use of hydroacoustic monitoring (BR-2(E)) and a Marine Mammal Monitoring plan (BR-2(K)). For projects that may involve pile driving, impact hammering, or other loud substantial construction activities that alter the existing the piers and abutments, it has been the Commission's practice to impose a special condition imposing limitations on this work to protect aquatic and marine resources, and that typical condition is included here as **Special Condition 7**. This special condition includes measures to protect special status species and marine mammals from potential hydroacoustic impacts of construction activities around bridge piles and abutments.

Nevertheless, Caltrans has confirmed that the project does not include any pile driving activities, but rather the project will utilize vibratory pile placement. Staff understands that Caltrans staff met with the commentor on November 16, 2022, to restate to them individually that they will not undertake pile driving. As referenced in the findings in Section IV-K (p.63), impact hammering will be required for the project, as well as possible hoe ramming, at the abutments and on the bridge deck for demolition of old bridge materials. Caltrans states that this work will be short in duration. The findings on page 63 do reference pile driving, however the statement refers generally to the impact of pile driving and impact hammering on sensitive species and marine mammals. **Special Condition 7** also references pile driving but is written as a general special condition covering possible hydroacoustic impacts from construction activities around bridge piles and abutments. Neither of these references should be read to imply that pile driving is a proposed activity here beyond the activities of impact hammering, hoe ramming, or jack hammering. **Special Condition 7** is still applicable as a measure to minimize hydroacoustic impacts from these activities.

6) Visual mitigation.

Comments received also raises concerns about the visual impacts of the proposed bridge rails, pedestrian rails, and guardrails, and request visual mitigation for the project bridge rails and use of guardrail. This issue is discussed in the above Findings on visual impacts in Section IV-H (pp. 47-49). The findings conclude that because the project will use rails that are visually permeable and of the type used in past Mendocino bridge projects that have proven to protect visual resources and blend with the natural setting (e.g., Noyo River Bridge and Ten Mile River Bridge), there will be no substantial visual impacts. Therefore, no visual mitigation is required. Moreover, the new pedestrian walkway will provide new, safe viewing opportunities that are not auto dependent or at vehicular speeds, so the project includes visual resource improvements. An early design of the pedestrian railing is depicted in Figure 6 (p.48). Although that graphic uses the color blue, Caltrans states that they do not intend to include any decorative tribal elements and blue has not been selected as the final color. The pedestrian railing is see-through, and final colors will be determined in final construction plans in consultation with the Executive Director. **Special Condition 1.B** requires submittal of final design plans for the bridge railings and guardrails to “ensure the final colors and design of bridge railings and guardrail will be subordinate to the natural setting, minimize reflective surfaces, and blend in hue and brightness with their surroundings.”

7) PGE Power Lines.

Comments received also request that the Commission “support Caltrans efforts to compel PG&E to take advantage of the opportunity to underground the power lines crossing over the Jack Peters Creek Bridge.” These concerns are discussed in the above Findings on visual resources and utility lines in section IV-H (p.50). The Coastal Commission supports efforts to underground PG&E power lines crossing over the Jack Peters Creek Bridge. However, it remains unclear by what mechanism Caltrans can undertake that in this project since PG&E is not proposing and has not agreed to underground the powerlines and cables.

8) ESHA.

Comments received also express concern that the revegetation plan needs monitoring at 1-year, 3-year, 5-year, and 10-year increments. **Special Condition 3** sets provisions for success criteria and monitoring of the revegetation. This condition already requires monitoring reports at years 1, 3, and 5 (SC 3.9). The Commission has generally accepted five years monitoring as sufficient to ensure the success of revegetation efforts. (Monitoring is extended when success criteria are not met.) Monitoring is extended for the Grand Fir Forest replanting for 10 years given the longer time-lines for such trees to establish themselves. The comments received also express concern that the habitat buffers are not adequate. Given the location of the project and its necessary work, complete 100-foot ESHA buffers from all construction activities are not feasible. However, the project as conditioned through Special Condition 2 minimizes impacts to sensitive species by requiring biological monitoring for sensitive species, setting

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required buffers of 100/500 feet from active bird nests, and adopting various other biological protection measures.

9) Additional Comments.

Comments also were received on various other issues, including concern over the impact of noise and nighttime construction on surrounding private property and a request that invasive species removal by Caltrans near the private property adjacent to the site be coordinated with the property owner present. These concerns are outside of the Coastal Act and should be addressed between the resident and Caltrans. Staff understands that Caltrans staff met with local neighboring property owners on several occasions, including on November 16 after they submitted the comment letter for this hearing, and Caltrans has addressed many of those concerns.

Comments received suggest that the bridge should be widened “minimally” rather than the 17 feet. As discussed throughout the report findings, there are no alternatives to widen the bridge to a lesser degree given the need for a separate pedestrian crossing, wider shoulders for cyclists and vehicle safety, and new bridge rails, and the width of those elements are appropriately selected.

Finally, some comments indicate that project will take lead contaminated soils from this site and place them at the Salmon Creek Bridge. This is not a proposed aspect of this project. Caltrans has included a standard BMP for management of any lead contaminated soils, but that does not mean it anticipates placement of lead contaminated soils back into the environment. **Special Condition 11** requires the submittal of a Debris Disposal Plan to place debris materials at “an authorized disposal site(s) capable of receiving such materials.” The placement of any lead contaminated soils back into the environment at Salmon Creek or other natural environments could not be approved under **Special Condition 11**.