

## Lemos, June

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**From:** Annemarie <aweibel@mcn.org>  
**Sent:** Monday, April 20, 2020 4:31 PM  
**To:** Peters, Lindy; Morsell-Haye, Jessica; Norvell, Bernie; Albin-Smith, Tess; Lee, Will  
**Cc:** Lemos, June; Miller, Tabatha  
**Subject:** Pudding Creek Bridge Widening Consolidated CDP  
**Attachments:** Pudding Creek Bridge widening consolidated CDP.docx; Pudding Creek Bridge Widening Consolidated CDP.docx

Dear City Council members,

Reviewing your minutes from the City Council meeting from 2-24 where you approved the resolution to AUTHORIZE THE PROCESSING OF A CONSOLIDATED COASTAL DEVELOPMENT PERMIT BY THE CALIFORNIA COASTAL COMMISSION FOR THE WIDENING OF PUDDING CREEK BRIDGE BY CALTRANS it is indicated that no public comments were received. I want to bring to your attention that you received the attached comments and ask you to change the minutes to reflect that.

As you might recall you received two public comments on that proposal.

One I sent and another one you received from Ali Van Zee. (see attached)

<https://cityfortbragg.legistar.com/View.ashx?M=M&ID=758099&GUID=9F222A63-CF1F-4552-B4D1-C1A2CD2C2F34>

In the meantime you have received bids for this project.

I was not able to study all the documents completely listed on the web page for today's meeting, but want to give you some feedback.

Today you will in your special "virtual" meeting consider adopting the City Council Resolution approving the Professional Services Agreement with LACO Associates for the Pudding Creek Water Main Relocation Project Design Engineering, City Project WTR-00014, and Authorize City Manager to Execute Contract (Amount Not to Exceed \$114,000; from Water Enterprise Capital Reserve Fund 615).

I believe that Caltrans relies on the misguided Jerry Brown 1977 exclusion, by its votaries on the Coastal Commission, by inapplicable guideline from the CDP requirement to relocate the Pudding Creek Water Main.

Arguably, the City's water main is a public utility that the CDP exclusion exempts from the CDP requirement, but the exclusion guideline itself I believe is invalid under the Coastal Act. The Coastal Commission has not made the required guideline findings on a case by case basis, and a Coastal Commission regulation (as recently - belatedly - adopted last year) should have been adopted and implemented to allow for any such CDP exclusions between 1977 and 2019.

The scope of services proposed by LACO does not include obtaining a necessary CDP for the water line relocation project, which likely will be needed, and may increase the cost.

The LACO proposal does mention the need for encroachment permit, water board permit, and Army Corps permit.

Please let me know if the question of whether a CDP is required is settled with Caltrans and the Coastal Commission.

Given challenges with everyone working remotely, I was not able to have my question answered by the Coastal Commission in time.

Thanks for your consideration, Annemarie Weibel

P.S.: Please read my comments during the meeting.

Dear City Council members,

City Council meeting 2-24-20. Please accept my comments about item # 5A .

Adopt City Council Resolution Allowing for the Permit Consolidation of a Caltrans Coastal Development Permit Application for the Widening of Pudding Creek Bridge.

As I am not able to attend this meeting I am sending you my comments ahead of time.

I realize that you want to pass this resolution. My reservation is based on my extensive involvement with the Albion Bridge Stewards, who I am a member of. Caltrans for years has been wanting to tear down the historic Albion River Bridge that is still in good condition. The work Caltrans has performed involving archeological and geotechnical investigations on the Albion River Bridge & other work on Salmon Creek Bridge has not been done in a way that is protecting the environment.

I know that Caltrans wants to widen many of the local bridges and roads. So far due to many lawsuits Richardson Grove in Humboldt County is still protected. Thanks to the 12 year perseverance of Vince Taylor the Noyo River Bridge has railings that allow a view of the ocean.

These examples illustrate that if Caltrans is not closely watched we will not get a bridge that is aesthetically pleasing and might not have the environment surrounding the project protected.

With Caltrans offering \$1 million per year or more to the Coastal Commission there is no guarantee that the Coastal Commission is keeping close tabs on Caltrans.

I do not understand that this resolution will be passed and adopted without anyone knowing for example how wide the future bridge would be. Going online will not help us either as Caltrans has promised the public for the last 2 years that they are working on the new web site.

I happen to know that the new bridge will be 5 ft. wider than the current one. As the Pudding Creek Bridge is next to the historic Pudding Creek Trestle Bridge, the Pudding Creek beach, and the fauna & flora rich Pudding Creek it is even more important that the public has a chance to participate and not be impaired due to the consolidation of the permits.

I believe that the resolution should only be adopted if there is a guarantee that the Coastal Commission will be holding its CDP meeting dealing with this project in Fort Bragg. If citizens would have to get to San Diego to attend a Coastal Commission meeting it would substantially impair the public. It is not acceptable that citizens who could not attend a meeting away from Fort Bragg would only be able to submit comments ahead of time.

If you adopt this resolution I hope that you demand that the Coastal Commission will hold its CDP meeting in Fort Bragg.

Thanks for your consideration, Annemarie Weibel  
2-23-2020

From: Ali Van Zee Sent: Monday, February 24, 2020 1:06 AM To: Peters, Lindy; Lee, Will; Morsell-Haye, Jessica; Albin-Smith, Tess; Norvell, Bernie; Miller, Tabatha Cc: Lemos, June Subject: Pudding Creek Bridge Widening Consolidated CDP

Dear City Council Members,

City Council meeting 2-24-20. Please accept my comments about item # 5A:

Adopt City Council Resolution Allowing for the Permit Consolidation of a Caltrans Coastal Development Permit Application for the Widening of Pudding Creek Bridge.

As I am out of town and not able to attend this meeting I am sending you my comments ahead of time.

I am dismayed that you want to pass this resolution. Caltrans has for years shown itself to be a bad faith partner in multiple projects along our rugged and scenic stretch of Highway One. No longer the thoughtful builders of the Roosevelt era, they have turned to expedient incompetence and slipshod practices. The evidence for this is starkly apparent in their current projects at the historic Albion River Bridge and Salmon Creek Bridge. They have neglected their mandate to maintain the ARB for years, and when work IS done, they use out-of-area contractors - the cheapest they can find - who use substandard equipment and practices that are designed to wear out quickly. Independent engineering studies done by world-renowned engineering experts in the field of trestle bridges have found the ARB to be in "remarkably good condition" and with proper maintenance, the bridge will last at least another 75 years or longer. Still, they pursued their archeological and geotechnical investigations into determining the feasibility of a replacement bridge. These investigations were conducted in an appalling manner with zero mitigation for sensitive habitat destruction alongside and below the bridge. Their supposed mitigation of toxins at Salmon Creek Bridge has permanently scarred both the north and south riparian stream bed, destroyed fragile and threatened native vegetation and released exceedingly high levels of toxic waste into Salmon Creek and areas skirting Pacific Reefs. The only oversight of these two projects has been diligently carried out by the Albion Bridge Stewards - an ad hoc group of residents and businesses whose purpose is to ensure this historic treasure is preserved and protected for many future generations. I am proud to be a member of this group. We have also widened our scope 2 of monitoring CalTrans to include a number of other projects along Hwy One from the Navarro Bridge north, such as Salmon Creek Bridge.

It is clear Caltrans is eager to widen many of our local bridges and roads in Mendocino County. So far due to many lawsuits, their plan to widen Hwy 101 through Richardson Grove in Humboldt County has been thwarted and this important and historic scenic stretch of highway remains protected. Right here in Fort Bragg, thanks to the multi-year perseverance of Vince Taylor, the Noyo River Bridge has railings that allow a view of the ocean. As you know, their initial plans would have blocked the view of our greatest asset.

These examples illustrate that if Caltrans is not closely watched we will not get a bridge that is aesthetically pleasing and will not have the environment surrounding the project protected.

With Caltrans paying over \$1 million per year to the Coastal Commission to cover their staff salaries, there is no guarantee that the Coastal Commission will keep close tabs on Caltrans

or hold them accountable. On the contrary, they rubber-stamp every Caltrans project regardless if applications are incomplete, are riddled with inconsistencies or actual violations of both CCC and County regulations.

As the Pudding Creek Bridge is next to the historic Pudding Creek Trestle Bridge, the Pudding Creek beach, and the fauna and flora-rich Pudding Creek, it is even more important that the public has a chance to participate and not be impaired due to the consolidation of permits. Adding 5 feet to the width of the bridge will do irreparable harm to the environment.

One has to wonder, why the rush to widen our bridges along the coast? Caltrans has a long history of “blackmailing” cities and counties in California by stating, “if you don’t do what we want, we’ll take our money elsewhere”. Besides being an almost mafia-like tactic, it is also disingenuous at best.

I am completely against your adopting this resolution. But if you do, I believe that the resolution should only be adopted if there is a guarantee that the Coastal Commission will be holding its CDP meeting dealing with this project in Fort Bragg. The CCC likes to play games by holding hearings for projects affecting us in San Diego or other equally inconvenient cities. It is not acceptable that local citizens, who could not attend a meeting away from Fort Bragg, would only be able to submit comments ahead of time.

You must demand the Coastal Commission hear this project right here in Fort Bragg.

I leave you with this: people come to the Mendocino Coast to escape. They come for the rugged, raw beauty and the rural charm of our Coast. They come to get away from the slick, over-crowded, cacophonous whirl of modern city life. They come to escape the Big Box strip malls and mindless 3 architecture of consumerism to finally, for a day, precious weekend or lucky week, have their souls refreshed by the gentle hospitality our Coast provides. Why on earth are you so eager to destroy this gift to humanity?

Respectfully,  
Ali Van Zee Fort Bragg Resident

~We survive together, or not at all~