



Agenda Item No. 1

To: Building and Operating Committee/Committee of the Whole
Meeting of May 21, 2009

From: Ewa Z. Bauer, Deputy District Engineer
Denis J. Mulligan, District Engineer
Celia G. Kupersmith, General Manager

Subject: **STATUS REPORT AND POSSIBLE ACTION REGARDING A
MEMORANDUM OF AGREEMENT WITH HISTORIC PRESERVATION
AGENCIES AND OTHER INTERESTED PARTIES RELATIVE TO THE
GOLDEN GATE BRIDGE PHYSICAL SUICIDE DETERRENT SYSTEM
PROJECT**

Recommendation

Staff recommends that the General Manager be authorized to execute, on behalf of the District as a concurring party, the Memorandum of Agreement (MOA) between the California Department of Transportation (Caltrans), the California State Historic Preservation Officer (SHPO) and the Federal Advisory Council on Historic Preservation (ACHP) regarding the Golden Gate Bridge proposed Physical Suicide Deterrent Project.

Summary

State and federal environmental and historic preservation laws outline the procedures and protections associated with any proposed undertaking that will modify an historic structure. The Golden Gate Bridge was constructed in 1937 and is a cherished icon, so it is subject to these protections.

As part of the environmental process for the Golden Gate Bridge Physical Suicide Deterrent System Project (Suicide Deterrent Project), the District prepared historical and cultural resources studies, including the Historic Property Survey Report (HPSR), the Historic Resource Evaluation Report (HRER) and the Finding of Effect (FOE). These studies, which are summarized and referenced in the Draft Environmental Impact Report/Environmental Assessment (Draft EIR/EA), determined that the Suicide Deterrent Project will have an adverse effect on the historic Golden Gate Bridge, a property determined to be eligible for inclusion on the National Register of Historic Places (NRHP). The District has approved Alternative 3, involving installation of a net system, as the Locally Preferred Alternative.

As part of this process, staff has consulted with SHPO, ACHP, Caltrans, and interested parties and has negotiated a MOA pursuant to Section 106 of the National Historic Preservation Act (16 USC 470 *et seq.*) (NHPA). In light of the adverse effects identified, the MOA is required if the project is to qualify for federal funding. On February 24, 2009, and again on March 27, 2009, meetings were held at the Bridge with the above agencies and organizations pursuant to the consultation process. As a result of these meetings, as well as follow up discussions, staff recommends that the Board authorize the General Manager to sign the proposed MOA on behalf of the District as a concurring party.

Key points identified as part of the consultation process which are memorialized in the MOA are as follows:

- The horizontal struts that support the netting will be painted international orange, while the marine-grade stainless steel wire rope for the net material will not be painted or coated.
- Along the approximately 300-foot-long North Anchorage Housing, fencing with vertical pickets will be installed in lieu of netting. The fencing will be painted international orange.
- The District will augment the existing Historic American Engineering Record (HAER) of the Golden Gate Bridge with additional documentation. Specifically, large format photographs in accordance with HAER photographic specifications will be prepared, and copies of this documentation will be offered to several libraries specified in the MOA.
- Within one year of implementing the Net, Caltrans will ensure that the District will complete and submit a National Historic Landmark nomination for the Golden Gate Bridge to the National Historic Landmarks Program at the National Park Service. If the District cannot complete the nomination within this time period, the District will notify the MOA signatories in writing regarding why the District was unable to comply with this requirement. As the Bridge is a structure eligible for listing on the National Register of Historic Places, the effect of National Historic Landmark status would be that projects involving federal funds that potentially impact the historic features of the Bridge will involve a slightly more extended review process under the NHPA. The change in status would not affect the daily operation of the Bridge or the treatment of projects under state law.
- An educational brochure will be prepared presenting information on the historic elements of the Bridge being affected by the proposed project, and these brochures will be made available during construction.
- Copies of the *Golden Gate Bridge Report of the Chief Engineer, Volume II* (2007) will be provided to libraries and repositories named in the MOA.
- During construction, two interpretative signs or display panels will be installed at the Round House Gift Center and Vista Point. The signs will incorporate information from the contextual history prepared for the brochure.
- For the duration of construction, similar to the provisions for the ongoing seismic retrofit work, the District will take steps to protect the historic property and Fort Point from any damage arising from the construction of the Net; and if during the construction of the Net it results in any damage to Fort Point, the District will appropriately repair that damage.

The MOA is one of the last steps in the environmental process and is a necessary element to allow the project to obtain federal funding, should such funding become available. If the MOA is not approved by the signatory agencies, the project may face delays while the parties consult regarding alternatives to address the adverse effect of the project. It is anticipated that the Final EIR and Findings of No Significant Impacts (FONSI) will be released in the coming weeks after the MOA is executed.

Fiscal Impact

There is no fiscal impact associated with this report. The obligations associated with the proposed MOA are triggered by the construction of the Net, and are included in the cost estimate for the construction of the Net. Per Board policy this construction would be funded with non-District funds.