

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 7, 2013

Reference No.: 2.8d.(3)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

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Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT EXPENDITURES FOR LOCALLY-ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES WAIVER 13-19**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve extensions to the period of project development expenditure for the time periods identified for each project on the attached document.

ISSUE:

The attached list identifies four locally-administered State Transportation Improvement Program (STIP) projects totaling \$4,162,000. The Commission allocated the funds in Fiscal Year 2010-11 for project development phases, as shown on the attachment. The local agencies cannot meet their deadlines prior to project deadlines. The attachment shows the details of the projects and the explanation for the delays.

BACKGROUND:

Current STIP Guidelines stipulate that funds allocated for local project development or right of way costs must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated. The Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

**Time Extension/Waiver – Project Development Expenditure Deadline
Local Streets and Roads Projects**

Project #	Applicant County PPNO Project Description Reason for Project Delay	Phase Allocation Amount Balance Remaining	Allocation Date Allocation Resolution Number Number of Months Requested Extended Deadline CT Recommendation
1	Mendocino County Mendocino County PPNO: 01-4073P East Side Potter Valley Road Reconstruction and Widening project	Right of Way Allocated: \$3,700,000 Balance:\$3,700,000	20 Months 02/28/2015 Support
<p>The County of Mendocino (County) is requesting a 20-month extension to the period of project development for the Right of Way (R/W) phase of the East Side Potter Valley Road Reconstruction and Widening project. The County has experienced delays in finalizing the R/W acquisition and utility relocation. In July 2010, the County received an allocation of state funding for the R/W component. On July 23, 2010, the Department issued a memorandum stating that any STIP project with over \$1 million in estimated construction costs must use federal-aid funding. The County began the NEPA process although CEQA was already completed, in anticipation that the project would be federalized at the time of allocation. Although R/W was already allocated, the County was unable to proceed with any R/W acquisitions or utility pole relocations until completion of NEPA. The County pursued completion of the NEPA, but due to the lengthy review periods, it is still not complete.</p> <p>The County was recently advised that state funding will be approved for construction of the project, thereby eliminating the NEPA requirement. The County has since started R/W acquisition and utility pole relocation efforts but will not meet the deadline of June 30, 2013. Although the County anticipates all R/W issues to be concluded by the end of June 2014, bird nesting season will be under way requiring a nesting survey prior to any tree removal. As a result, utility pole relocation is unlikely to start until the beginning of the rainy season. Due to typical winter weather delays, pole relocation activities will extend into early spring of 2015. Therefore, the County is requesting a 20-month extension to February 28, 2015.</p>			
2	County of Tehama Tehama County PPNO: 02-2331 McCoy Road Low-Water Crossing, Construct New Bridge	Plans, Specifications and Estimate and Right of Way Allocated: \$22,000 Balance: \$22,000	09/23/2010 FP-10-10 18 Months 12/31/2014 Support
<p>The County of Tehama (County) is requesting an 18-month extension to the period of project development expenditure for \$11,000 for Plans, Specification and Estimate (PS&E) and \$11,000 for Right of Way (R/W) for the McCoy Road Low-Water Crossing New Bridge project.</p> <p>The County experienced delays to the project due to insufficient easement deeds and utility relocation plans. The original six-mile long roadway in use since 1899, does not have sufficient easement deeds. A record of survey was prepared for the project area to substantiate the existing roadway alignment that delayed the project by six months. The proposed roadway alignment crosses a working cattle ranch and corrals. This same property owner has property along other sections of the roadway and has directed the County to communicate with their attorney. The County anticipates property acquisition to be difficult. Additionally, the alignment crosses five buried fiber optic lines and one buried copper line. The plans that contain the project alignment and fiber optic conflicts have been mailed to the facility owners in January 2012. Three of the facility owners have yet to respond with their relocation plans causing an additional six-month delay. The County anticipates an additional six months for the R/W acquisition. Therefore, the County is requesting an 18-month extension to December 31, 2014.</p>			

**Time Extension/Waiver – Project Development Expenditure Deadline
Local Streets and Roads Projects**

Project #	Applicant County PPNO Project Description Reason for Project Delay	Phase Allocation Amount Balance Remaining	Allocation Date Allocation Resolution Number Number of Months Requested Extended Deadline CT Recommendation
3	County of Tehama Tehama County PPNO: 02-2430 99W at Thomes Creek Bridge	Environmental Studies & Permits Allocated: \$40,000 Balance: \$27,602	9/23/2010 FP-10-10 4 Months 10/31/2013 Support
<p>The County of Tehama (County) is requesting a four-month extension to the period of project development expenditure for Environmental Studies & Permits (E&P) for the 99W at Thomes Creek Bridge project.</p> <p>The County experienced delays to the project due to unanticipated federal environmental reviews, coordination with the California Northern Railroad property for a Historic Resources Evaluation, and Green House Gas Senate Bill 375 (SB375) compliance. The County experienced a five-month delay in receiving the biological opinion due to valley elderberry longhorn beetle and salmonids endangered species habitat review by Federal resources agencies. Furthermore, an unanticipated study to evaluate the historic railroad structure was required for the Historic Resources Evaluation Report, and coordination efforts between agencies which delayed the project by four months. The SB 375 modeling took three months longer than anticipated, as the consultant was additionally tasked to model the evaluation of construction equipment use, time, and fossil fuels expended to build the project. Although the total delay incurred has been 12 months, the County anticipates receiving the approved Categorical Exclusion by October 2013. Therefore, the County is requesting a four-month extension to October 31, 2013.</p>			
4	San Diego Association of Governments San Diego County PPNO: 11-7421V Coastal Rail Trail State Route 52 to Mission Bay	Environmental Studies & Permits Allocated: \$400,000 Balance: \$331,851	6/23/2011 FP-10-38 12 Months 6/30/2014 Support
<p>The San Diego Association of Governments (SANDAG) is requesting a 12-month extension to the period of project development for Environmental Studies and Permits (E&P) for the Coastal Rail Trail State Route 52 to Mission Bay project.</p> <p>The project area is shared with a heavy rail double-tracking project and a new light-rail line project. SANDAG encountered delays in identifying realistic alternatives to their project due to the undetermined alignments of these rail projects. The project was initiated in September 2011 and scheduled to be completed by December 2012. Since mid-January 2013, substantial progress has been made on the rail projects to where SANDAG is able to develop alignment alternatives for their project and start the environmental process. The time lost by this delay amounts to 15 months. Since three months remain until the deadline, SANDAG is requesting a 12-month extension to June 30, 2014.</p>			