

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 25-26, 2003

Reference No.: 2.8a.(1)
Action Item

From: ROBERT L. GARCIA
Chief Financial Officer

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Local Assistance

Ref: **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION PER
RESOLUTION G-01-21, FOR LOCAL STREETS AND ROADS PROJECTS
WAIVER-03-10**

ISSUE:

The California Transportation Commission (Commission) programmed funds in Fiscal Year 2002-2003 totaling \$22,522,000 for the 22 projects shown on the attached list. The implementing agencies have been unable to allocate the funds and do not anticipate allocating the funds by the June 30, 2003 deadline. The attachment shows the details of each project and the delays that have resulted in the extension requests. The project sponsors request extensions, and the planning agencies concur.

RECOMMENDATION:

The Department of Transportation's recommendations are shown on the attachment.

BACKGROUND:

Resolution G-01-21, STIP Guidelines, adopted by the Commission on July 12, 2001, stipulates that funds programmed for all components of local grant projects are available for allocation only until the end of the fiscal year identified in the State Transportation Improvement Program (STIP). The guidelines further stipulate that the Commission may approve waivers 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 – Allocation Deadline
Item 2.8a.(1) – Local Streets and Roads Projects
Program Year 2002/2003

Project #	Applicant County	Extension Amount By Component (\$ in thousands)	Number of Months Requested
	PPNO Project Description	E&P PS&E R/W CON TOTAL	CT Recommendation
Reason for Project Delay:			
1	County of Mendocino Mendocino	\$0 \$200 \$0 \$0 \$200	20 months 02/28/2005 Support – meets STIP guidelines
<p>The anticipated time (20 months) it will take to complete the environmental review of this project dictates that the time for allocation and completion of the PS&E portion be extended. Therefore, the County is requesting an extension of 20 months.</p>			
2	County of Humboldt Humboldt	\$0 \$0 \$0 \$4,805 \$4,805	20 months 02/28/2005 Support, meets STIP guidelines
<p>This project involves many sensitive issues including wetland mitigation, habitats critical to listed anadromous fish and tidewater goby, and historic structures previously found eligible for the National Register of Historic Properties. As a result, a detailed environmental analysis was required and an Environmental Impact Report (EIR) was prepared. Many additional months of work were required to overcome an expanding scope of potential effect. The final CEQA document was approved on October 31, 2001. However the NEPA document has not been approved.</p> <p>The NEPA process was not concluded in the required time frame due to unforeseen and extraordinary delays. Indications are that the NEPA document is nearing ratification and should be adopted by June 2003. However, due to this delay the right-of-way has not been initiated. During the environmental process, the scope for right-of-way acquisition was dramatically expanded to mitigate the environmental concerns. \$800,000 was shifted from construction to right-of-way to cover the increased scope. This increased scope will require more time to complete the acquisition than originally anticipated and proposed in the Project Study Report. Right-of-way will now require 20 months to complete, therefore the County is requesting a 20-month extension for the construction phase allocation.</p>			
3	City of Redding Shasta	\$0 \$0 \$313 \$0 \$313	8 months 2/29/2004 Support, meets STIP guidelines
<p>The Cypress Avenue Bridge Approaches project is included in the environmental document being developed for the Cypress Avenue Bridge Widening project. These projects are dependent on each other and both must proceed on the same schedule. The environmental document is essentially complete and is currently under Section 7 consultation with National Marine Fisheries Service (NMFS). According to NMFS, the consultation should be complete by August 2003. Following this there will be the State Historic Preservation Officer (SHPO) review, public review and comment period and preparation of the final environmental document. These steps will require between 4 and 8 months to complete. The allocation of right-of-way cannot be done prior to completion of the environmental document. Therefore, the City is requesting an 8-month extension of the right-of-way allocation deadline.</p>			

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	Reason for Project Delay:		
4	City of Salinas Monterey	\$0 \$0 \$0 \$1,000 \$1,000	16 months 10/30/2004 Support, meets STIP guidelines
	<p>The City proposed funding the PA&ED and PS&E phases of this project with Traffic Impact Fees after updating the Traffic Fee Ordinance (TFO). The TFO was to be approved in May 2002, providing ample time to complete the design phase and allocate the construction funds on time. However, delays to the City TFO update due to the concurrent development of the City's General Plan, provided no funding for these earlier phases. Notwithstanding this delay in funding, the City did not want to delay the Sanborn Road Project and submitted a request to the CTC (November 2002 meeting) for an allocation of \$108,000 STIP funds into PA&ED for an estimated 3 month environmental study. This would have left enough time to request an allocation for PS&E, complete design work and request construction funding by June 30, 2003.</p> <p>The City's request for PA&ED allocation was delayed by budget concerns until April 2003. Realizing that this delay would not allow the City to be ready for construction allocation in June, the City proceeded with the environmental study using local funds. The environmental document was completed April 7, 2003. On March 17, the City submitted a revised request to the CTC for an allocation for PS&E. The City was informed that the allocation is unlikely to be approved because of the priority given to construction projects in light of the shortage of State funds. Facing this reality, the City elects to request a 16-month extension for the allocation of construction funding.</p> <p>Should the extension be granted by the CTC, the City expects to have a fully funded project by the end of 2003 with the adoption of the updated TFO. The City anticipates completion of PS&E within 3 months of receiving TFO funding. The City expects to be able to request allocation of construction funds within 16 months, and complete the project by August 2005. The total estimated cost of the project is \$3.4 million, with the City contributing \$2.4 million in traffic impact fees.</p>		
5	County of Kern Kern	\$0 \$0 \$240 \$2,245 \$2,485	12 months 06/30/2004 Support, meets STIP guidelines
	<p>Implementation of project elements is taking considerably more time than anticipated. All phases of this project were programmed in the 2002-2003 fiscal year with construction anticipated to begin in the summer 2003. This was generally based on the following:</p> <ol style="list-style-type: none"> (1) substantial coordination of several portions of the project was in process; (2) the project is widening of an existing arterial corridor as designated in Kern County's General Plan and Circulation Element; (3) the project is totally within an industrial and commercial use area; (4) essentially all of the adjoining property owners strongly support the project; (5) the right of way acquisitions involve minor widening and tapers at SR 65 intersection with consenting owners; (6) there is no known opposition to the project; and (7) the environmental clearance should involve a Negative Declaration/Finding of no Significant Impact (ND/FONS1) with limited processing time <p>The environmental process has required an unreasonable length of time and is the primary reason for the extension request. The only known environmental issue needing to be addressed is the presence of kit fox. However, after 10 months of apparent consensus regarding the limited environmental review, extended discussions regarding logical termini of the project, biological review and documentation for the already-known presence of kit fox, and the project being contained entirely within an existing Metropolitan Habitat Conservation Program (intended to streamline environmental review and mitigation), it appears that certification of an environmental document is still an additional 6 months from completion. Final PS&E and R/W may not proceed until the environmental certification. An estimated 6 months is needed for property acquisition and relocation of utilities. Therefore, the County is requesting a 12-month extension of the deadline for allocation of right of way and construction.</p>		

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	Reason for Project Delay:		
6	Tulare County Association of Governments Tulare	\$0 \$35 \$0 \$0 \$35	10 months 4/30/2004 Support, meets STIP guidelines
	<p>PPNO: 8686 Reservation Road Turn-outs</p> <p>The Tulare County Association of Governments (TCAG) requests that the CTC grant a deadline extension of 10 months to allocate PS&E based on the following extraordinary circumstances:</p> <p>As a result of partnering with the Tule River Tribal Council, TCAG programmed PA&ED in 2002/2003 for the construction of five turn-outs on reservation road. The project is unique because the tribe is the lead agency with TCAG acting a responsible agency and Tulare County providing oversight through the normal permitting process. However, it took approximately 7 months to resolve how this unique project could proceed. Extraordinary coordination was required with FHWA, Caltrans' District 6, Headquarters and Native American Desk, Tulare County and TCAG. Since this partnership is new, various agencies offered various interpretations of how the Tribe could be the lead agency. Once the lead agency issue was resolved and allocation request was prepared. The allocation request was also unique due to the Tribe being the lead agency and TCAG being the responsible agency. The time it took to resolve these lead agency issues and to satisfy all participants was approximately 7 months. The result was a unique partnership with an executed MOU. The allocation request for PA&ED is now pending before the CTC.</p> <p>A \$50,000 PA&ED allocation request was submitted by TCAG in February 2003. This allocation request was placed on the pending list at the April CTC meeting. It is uncertain when the project will receive its allocation. The additional time delay brings TCAG's request for extension of the PS&E allocation to 10 months.</p>		
7	City of Visalia Tulare	\$0 \$615 \$0 \$615	20 months 2/28/2005 Support, meets STIP guidelines
	<p>PPNO: 0105 Plaza Drive Widening</p> <p>Plaza Drive (in City of Visalia) and Road 80 (Tulare County) are the same roadway. Therefore, the City, in an effort to streamline the environmental process, hired the same environmental consultant as Tulare County. The City made this decision prior to STIP funds being allocated (the City obligated its own funds to same money and time in the environmental process). Since the Road 80 project is delayed (Tulare County requested an extension at the May CTC meeting), the Plaza Drive project is also delayed. Therefore, the City is requesting a 20-month extension of the deadline for allocation of PS&E.</p>		
8	City of Visalia Tulare	\$0 \$0 \$0 \$904 \$904	4 months 10/31/2003 Support, meets STIP guidelines
	<p>PPNO: 8633 Pavement Rehabilitation</p> <p>Rehabilitation projects do not have a lengthy environmental process and did not, until recently, require a CTC vote. Therefore, PA&ED, PS&E and Construction were programmed in the same year for this project. A Categorical Exemption was completed on March 4, 2003. The Preliminary Environmental Study and Categorical Exemption forms were sent to Caltrans on March 5, 2003. To date, NEPA environmental determination has not been completed. With the delay in the environmental process, the City is requesting a 4-month time extension of the deadline for allocation of construction. The City anticipated requesting an allocation by the end of October 2003.</p>		

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Reason for Project Delay:			
9	Fresno County Council of Governments Fresno	\$0 \$0 \$0 \$156 \$156	3 months 9/30/2003 Support, meets STIP guidelines
<p>Four things occurred that have delayed the project and caused the need for time extension:</p> <ol style="list-style-type: none"> 1) The railroad's parent company was bought out by another company, delaying the contract negotiations 3 months 2) There was a 6-month delay in getting the required NEPA environmental clearance 3) When the E-76 was received from Caltrans, Fresno COG understood that the funding had been allocated 4) Fresno COG received a call from Caltrans on May 15, 2003 stating that the STIP allocation had not been done and needed to be submitted to the California Transportation Commission for a vote (not previously required). <p>Due to the above delays and misunderstandings, the Fresno County Council of Governments is requesting a 3-month extension of the deadline for allocation of construction funds.</p>			
10	City of Compton Los Angeles	\$0 \$0 \$0 \$388 \$388	20 months 2/28/2005 Support, meets STIP guidelines
<p>There have been several delays in getting this particular project started due to multi-jurisdictional agreement with the Army Corps of Engineers and the Los Angeles County Public Works Department, and a separate memorandum of understanding needed with the Los Angeles County Conservation Corp. This extension will allow time to complete Phase I of the project and incorporate the Extension of the Compton Creek Bikeway from Greenleaf to 91 Freeway, comprising the last 5% of the entire Master Planned System of Bikeways. Therefore, the City is requesting a 20-month extension of the deadline for allocation of construction.</p>			
11	City of Los Angeles Los Angeles	\$0 \$1,107 \$358 \$0 \$1,465	20 months 2/28/2005 Support, meets STIP guidelines
<p>After programming of this project, the community and neighborhood expressed concerns with the traffic impact during construction of the grade separation replacement, and the desire for an architecturally aesthetic structure type. Additional time for the PA&ED component is needed to address these issues and other potential impacts that were not detected at the programming stage. The City also plans to coordinate this project with other projects in the vicinity, which will extend the project schedule. Therefore, the City is requesting a 20-month extension of the deadline for allocation of PA&ED and PS&E.</p>			

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Reason for Project Delay:			
12	City of Los Angeles Los Angeles	\$0 \$49 \$0 \$221 \$270	12 months 6/30/2004 – PS&E 6/30/2005 – CON Support, meets STIP guidelines
<p>Additional time is needed to enable the City to more carefully evaluate and address the construction site's location, which partially overlays a federally identified hazardous materials site (SRC #19). This time will allow the City to evaluate construction sequencing and siting options, develop mitigations and secure needed approvals, and complete a Mitigated Negative Declaration (now underway). It is anticipated that these activities and the completion of the PA&ED component can be accomplished within 12 months. Therefore, the City is requesting a 12-month extension of the deadline for allocation of PS&E and Construction.</p>			
13	City of Los Angeles Los Angeles	\$0 \$0 \$543 \$0 \$543	20 months 2/28/2005 Support, meets STIP guidelines
<p>After an in-depth study, the City found potential environmental impacts that were not identified at the programming stage. Additional time is required to complete the PA&ED phase so that the environmental documents will properly address all identified issues and mitigation measures. As a result, the R/W, PS&E and construction phases will have to be deferred. Therefore, the City is requesting a 20-month extension of the deadline for allocation of R/W.</p>			
14	Ventura County Transportation Commission Ventura	\$0 \$0 \$0 \$469 \$469	13 months 7/31/2004 Support, meets STIP guidelines
<p>This project was originally delayed by 8 months (from March to November 2002) because Caltrans District 7 stopped work on the PS&E phase to review a funding issue that was later determined to be in compliance. The City received the draft Cooperative Agreement for the project in March 2003, one month before the deadline to submit an allocation request for the June meeting. The draft Agreement contains new hazardous waste provisions that appear to have significant cost implications to the City even if the project is not constructed. The City has requested additional clarification from Caltrans, which has not yet been able to explain the implications of these new provisions. Caltrans then forwarded a Decision Document on April 16, 2003, which also requires explanation. Because the Cooperative Agreement has not been completed, the City is requesting a 13-month extension of the deadline to allocate construction funds.</p>			
15	Ventura County Transportation Commission Ventura	\$0 \$0 \$0 \$1,680 \$1,680	13 months 7/31/2004 Support, meets STIP guidelines
<p>This project was originally delayed by 8 months (from March to November 2002) because Caltrans District 7 stopped work on the PS&E phase to review a funding issue that was later determined to be in compliance. The City received the draft Cooperative Agreement for the project in March 2003, one month before the deadline to submit an allocation request for the June meeting. The draft Agreement contains new hazardous waste provisions that appear to have significant cost implications to the City even if the project is not constructed. The City has requested additional clarification from Caltrans, which has not yet been able to explain the implications of these new provisions. Caltrans then forwarded a Decision Document on April 16, 2003, which also requires explanation. Because the Cooperative Agreement has not been completed and construction must avoid the bird nesting season, the City is requesting a 13-month extension of the deadline to allocate construction funds.</p>			

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Reason for Project Delay:			
16	City of Los Angeles Los Angeles	\$0 \$840 \$183	18 months – PS&E 20 months – R/W 12/31/2004
	PPNO: 3104 First Street Bridge	\$0 \$1,023	2/29/2005 Support, meets STIP guidelines
<p>Based upon the approved Metropolitan Transportation Authority Environmental Impact Report/Environmental Impact Statement (EIR/EIS) documents for the Eastside Extension Light Rail Transit Project, the City anticipated that a Negative Declaration/Finding of No Significant Impact would be sufficient to meet the CEQA and NEPA documentation requirements for this First Street Bridge Project. However, following review of the preliminary environmental study by Caltrans, it was determined that a full EIR/EIS will be required. Thus, the PS&E and R/W components programmed in 2002-2003 will be delayed until the environmental document is complete. Therefore, the City is requesting an 18-month extension of the deadline to allocate PS&E funds and a 20-month extension of the deadline to allocation R/W funds.</p>			
17	County of Los Angeles Los Angeles	\$0 \$0 \$200	20 months 2/28/2005
	PPNO: 2873 Goods Movement NHS Access Design and Implementation	\$2,235 \$2,435	Support, meets STIP guidelines
<p>Based on the Gateway Cities truck study report, the Gateway Cities Council of Governments identified 27 intersections for improvements in Phase II, for which 10 intersections had a scope of work and a cost estimate. The PS&E cannot begin until a scope of work and cost estimate for the remaining 17 intersections are developed. It is expected that a consultant will be selected to perform this work. In addition, the Council of Governments will need to enter into separate agreements with various cities to define respective roles and responsibilities. At its June 2002 meeting, the California Transportation Commission approved a 20-month extension for the design funds for this project. Allocation of the PS&E funds will be requested at the Commission's February 2004 meeting. This request will extend the allocation of construction and right-of-way funding to be consistent with the project's previously approved extension. Therefore, the County is requesting a 20-month extension of the deadline for allocation of R/W and Construction funds.</p>			
18	City of Los Angeles Los Angeles	\$0 \$0 \$0	20 months 2/28/2005
	PPNO: 3133 Add Lanes on Valley Circle Blvd. and Calabasas Rd.	\$301 \$301	Support, meets STIP guidelines
<p>This project involves a freeway interchange. Therefore, Caltrans oversight in approval of plans and specifications is required. The project has several complicated design features which have delayed Caltrans approval of the project. Caltrans currently has the project under review. Because the State financial problems could further delay this review, the City is requesting a 20-month extension of the deadline for allocation of construction.</p>			
19	City of Los Angeles Los Angeles	\$0 \$0 \$540	6 months 12/31/2004
	PPNO: 3093 Soto Street Bridge	\$0 \$540	Support, meets STIP guidelines
<p>Originally, the City anticipated that a Categorical Exemption and Categorical Exclusion would be sufficient to meet the CEQA and NEPA documentation requirements for this project. However, after review of the preliminary environmental study for this project, it was determined that a Negative Declaration will be the required CEQA document and a Categorical Exclusion with technical studies will be the required NEPA document. The City has received a NEPA clearance, however, CEQA documentation activities are not yet complete. Therefore, the City is requesting a 6-month extension of the deadline for allocation of R/W.</p>			

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Reason for Project Delay:			
20	City of Palm Springs Riverside	\$0 \$190 \$0 \$0 \$190	20 months 2/28/2005 Support, meets STIP guidelines
<p>Due to unforeseen issues involving logical termini/independent utilities and additional technical studies to address the Whitewater River Wash, funding for PA&ED and PS&E needed to be increased. The initial Request for Proposals was revised to address these issues. With the delays in processing the STIP amendment and additional allocation for PA&ED, it is not possible to have a legally sufficient NEPA/CEQA document prepared and approved in time to allocate PS&E by June 30, 2003. The City just awarded a contract for environmental services in March 2003. The environmental document must be complete prior to requesting an allocation for PS&E. Therefore, the City is requesting a 20-month extension of the deadline for allocation of PS&E.</p>			
21	City of Palm Springs Riverside	\$0 \$176 \$0 \$0 \$176	20 months 02/28/2005 Support, meets STIP guidelines
<p>The City has worked diligently to have the PA&ED funds allocated for this project, with a request to Caltrans for allocation in November 2002. It was anticipated that a delegated allocation could be made in December 2002. However, due to the budget crisis, delegated authority was suspended and the allocation has not yet been made. The City has not been able to begin work to have a NEPA/CEQA document prepared and approved so that PS&E could be allocated. It is not known when the PA&ED funds will be allocated and when the final environmental documents will be complete. Therefore, the City is requesting a 20-month extension of the deadline for allocation of PS&E.</p>			
22	Town of Mammoth Lakes Mono	\$0 \$0 \$0 \$2,529 \$2,529	20 months 02/28/2005 Support, meets STIP guidelines
<p>This project was federalized in 2002. Therefore, the Town must proceed with a Federal environmental document to satisfy NEPA. The Town will proceed with field work for this purpose in the spring/summer of 2003. Mammoth Lakes has a short construction season, affecting all phases of the project including base topographic collection, field design and construction. Because of this, it is likely that design won't be complete until spring/summer 2004, and the Town does not expect to proceed with construction until the spring/summer of 2005. Therefore, the Town requests a 20-month extension of the deadline for allocation of construction.</p>			