

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2007

Reference No.: 2.1a.  
Action Item

From: CINDY McKIM  
Chief Financial Officer

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Acting Division Chief  
Transportation Programming

Subject: **STIP AMENDMENT 06S-015**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve State Transportation Improvement Program (STIP) Amendment 06S-015 for the San Diego Association of Governments (SANDAG). This amendment was noticed at the November 2006 Commission meeting.

**Action Update:** This Amendment has been revised in its entirety. In late November 2006, the Department was informed of anticipated right of way settlement cost increases creating a shortfall larger than the available funding for this project. As a result, the item to approve \$81,000,000 of Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Border Infrastructure Program (BIP) funds for Construction was pulled from the Commission's December 2006 agenda in order to better assess the budget gap and determine options to proceed. The Department and SANDAG have now determined that \$80,000,000 is needed to fund the right of way acquisition shortfall.

## **ISSUE:**

The Department and SANDAG are proposing the following STIP Amendment.

Route 905 freeway - Otay Mesa project (PPNO 0374K) in San Diego County. Amend the STIP to:

- Program \$80,000,000 of BIP funds to Right of Way in FY 2006-07.
- Revise the project scope from a four-lane freeway to a six-lane freeway from Britannia to Siempre Viva (Phase 1A- Eastern Segment of Phase 1).

## **BACKGROUND:**

The SAFETEA-LU, enacted in August 2005, authorizes funding through the BIP to improve transportation at international borders and ports of entry, and in trade corridors. This program replaced the TEA-21 Coordinated Border Infrastructure discretionary program which ended after 2005. The new BIP provides California a total apportionment of \$105,818,000, with an obligation limitation of approximately \$91,298,000.

Pursuant to Section 164.1 of the California Streets and Highways Code, the BIP funds are to be programmed in the STIP in the same manner as other federal funds made available for capital improvement projects.

These BIP funds are eligible in a border region, defined as any portion of a border State within 100 miles of an international land border with Canada or Mexico, for the following types of improvements to facilitate/expedite cross border motor vehicle and cargo movements:

- Improvements to existing transportation and supporting infrastructure.
- Construction of highways and related safety and safety enforcement facilities related to international trade.
- Operation improvements, including those related to electronic data interchange and use of telecommunications.
- Modifications to regulatory procedures.
- International coordination of transportation planning, programming, and border operation with Canada and Mexico.

Route 905 freeway - Otay Mesa project will improve the safe movement of motor vehicles at and across the border between California and Mexico, which is consistent with the eligibility requirements of the BIP. The Otay Mesa Port of Entry (POE) is the largest commercial crossing on the California/Mexico border and handles the third highest volume of trucks and dollar value of trade among all United States/Mexico land border crossings.

This project was originally programmed to provide six travel lanes connecting Route 805 to the Otay Mesa Border POE (Route 905 – Phase 1). However, in order to fund a right of way cost increase and to remain consistent with STIP Programming guidelines, SANDAG and the Department revised the project scope of the Phase 1 project to a four-lane freeway from Siempre Viva to Britannia Boulevard (Eastern Segment of Phase 1) in May 2005.

In June 2006, a 12-month time extension for the period of project allocation was approved for Construction programmed in FY 2005-06. This allowed time for legislation to establish procedures for programming and accessing SAFETEA-LU BIP funding to fully fund the original Phase 1 six-lane freeway project from Route 805 to the Otay Mesa Border POE.

STIP Amendment 06S-015 for notice was presented to the Commission in November 2006 to program \$81,289,000 of BIP funds to close the budgetary gap and move forward with advertising the full six-lane Phase 1 project. However, when the Department was informed of a right of way shortfall larger than the available funding for the project, therefore, the STIP Amendment for action to program the BIP funds to Construction was pulled from the Commission's December 2006 agenda.

The additional \$80,000,000 of BIP funds, along with other programmed funding, will enable the Department to acquire the necessary right of way for the entire Phase 1 project and construct Phase 1A- Eastern Segment of Phase 1. For construction purposes, Phase 1 will be split into two parts: Phase 1A (Eastern Segment of Phase 1) and Phase 1B (Western Segment of Phase 1). SAFETEA-LU Demonstration funds will be combined with the programmed STIP funds to allow for the

construction of the original six-lane configuration for Phase 1A. An allocation request for Phase 1A construction will be presented in early FY 2007-2008.

The Department will continue to seek funding for the remaining unfunded phases of the Route 905 corridor. Potential sources include:

- Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) Trade Corridor Improvement Fund
- Local Sales Tax (TransNet) - Border Project
- City and/or county contributions including developer fees

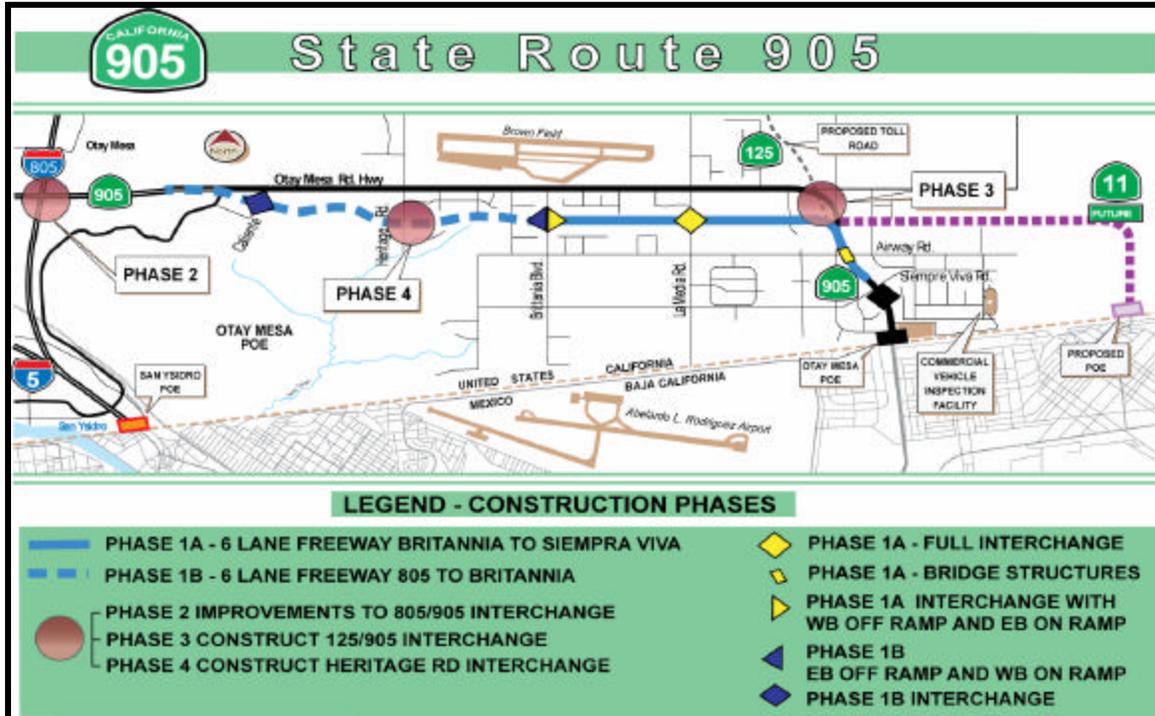
**RESOLUTION:**

Resolved, that the California Transportation Commission revise the 2006 State Transportation Improvement Program at the end of the 30-day notice period in accordance with the attached spreadsheet that illustrates the proposed programming changes for the project.

Attachment

**STIP AMENDMENT 06S-015**

Location Map



11 – San Diego

PPNO 0374K

Location: Near San Diego, Route 905 from Route 805 to Otay Mesa Border Port of Entry.

Description: Construct six-lane freeway from Britannia to Siempre Viva (Phase 1A- Eastern Segment of Phase 1).



**San Diego County  
STIP Amendment Request (06S-015)**

Reference No. 2.1a.  
April 25-26, 2007  
Attachment

Route 905 (PPNO 0374K) - Existing Funding													
Fund Type	Project Totals By Fiscal Year (\$ in 1,000's)						Project Totals by Component (\$ in 1,000's)						
	Total	Prior	06/07	07/08	08/09	09/10	10/11	R/W	Const	E & P	PS&E	R/W Sup	CON Sup
Federal Discretionary (CBI)	\$25,342	\$25,342						\$25,342					
Demo-Lu (HPP)	\$0	\$0											
Demo-Sec 115	\$3,000	\$3,000						\$3,000					
Demo-TEA 21	\$40,485	\$40,485						\$40,485					
STIP IIP	\$124,194	\$124,194						\$37,500	\$62,073	\$ 2,771	\$ 11,850	\$ 2,000	\$ 8,000
STIP-RIP	\$22,737	\$22,737						\$12,500	\$9,488				\$ 749
GF IIP	\$7,237	\$7,237							\$5,000	\$ 1,836	\$ 396	\$ 5	
RSTP	\$4,000	\$4,000						\$4,000					
Border Infrastructure Program	\$0	\$0											
ITIP Augmentation	\$0	\$0											
Local - City of San Diego	\$3,100	\$3,100						\$3,100					
TCRP	\$21,000	\$21,000						\$18,750				\$ 2,250	
<b>TOTAL</b>	<b>\$251,095</b>	<b>\$251,095</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>			<b>\$144,677</b>	<b>\$76,561</b>	<b>\$4,607</b>	<b>\$12,246</b>	<b>\$4,255</b>	<b>\$8,749</b>

Route 905 (PPNO 0374K) - Proposed Funding													
Fund Type	Project Totals By Fiscal Year (\$ in 1,000's)						Project Totals by Component (\$ in 1,000's)						
	Total	Prior	06/07	07/08	08/09	09/10	10/11	R/W	Const	E & P	PS&E	R/W Sup	CON Sup
Federal Discretionary (CBI)	\$25,342	\$25,342						\$25,342					
Demo-Lu (HPP)	\$12,000			\$12,000					\$10,000				\$ 2,000
Demo-Sec 115	\$3,000	\$3,000										\$ 3,000	
Demo-TEA 21	\$40,485	\$40,485						\$40,485					
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STIP-RIP	\$22,737	\$22,737						\$12,500	\$9,488				\$ 749
GF IIP	\$7,237	\$7,237							\$5,000	\$1,836	\$ 396	\$ 5	
RSTP	\$2,000	\$2,000						\$2,000					
Border Infrastructure Program	\$80,000		\$80,000					\$80,000					
Proposed ITIP Augmentation	\$7,000	\$7,000									\$ 7,000		
Local - City of San Diego	\$3,100	\$3,100						\$3,100					
TCRP	\$21,000	\$21,000						\$18,750				\$ 2,250	
<b>TOTAL</b>	<b>\$348,095</b>	<b>\$256,095</b>	<b>\$80,000</b>	<b>\$12,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$219,677</b>	<b>\$86,561</b>	<b>\$4,607</b>	<b>\$19,246</b>	<b>\$7,255</b>	<b>\$10,749</b>