

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: December 12-13, 2007

Reference No.: 2.8d.
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: Terry Abbott
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT
EXPENDITURE, PER STIP GUIDELINES
WAIVER-07-36**

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Waiver-07-36 extending the period of project development expenditure for 12 months, to June 30, 2009, for the City of Arcata's Foster Avenue to Sunset Avenue Extension (PPNO 01-2071) project.

ISSUE:

The Commission allocated \$231,000 to the City of Arcata (City) in Fiscal Year (FY) 2005-06. The City is requesting a 12-month extension to the period of project development expenditure for the Project Approval and Environmental Document (PA&ED) phase in order to complete the required environmental studies and revise the project schedule to optimize neighborhood/public participation in the environmental review process.

The City has experienced an unforeseen delay in completing PA&ED due to the increased interest of the public and the need for public participation. Public perception of this project is very important. City residents, commuters, Humboldt State University (HSU) administrators, and the Arcata Volunteer Fire Department have demonstrated interest in the project and have requested meetings with the City. The current development proposals increase the complexity of the Foster Avenue Extension project, and past development proposals indicate that this project is potentially controversial.

The City will conduct a multi-phased public participation program. The City held a neighborhood meeting on May 5, 2007. The opinions of the participants varied; some participants wanted no road at all and other participants proposed the alignment that the City has since adopted as its preferred conceptual design. Since the meeting, more neighbors have become interested in the Foster Avenue Extension project due to a private project to annex and develop land west of Foster Avenue.

Currently, the City is conducting preliminary environmental technical studies and anticipates holding additional public meetings in response to the increased interest from the public. A large portion of

the HSU population leaves the area during the summer and winter breaks; therefore, the City would like to extend the PA&ED period in order to continue when the HSU population returns in the fall and into the following spring. This will allow the City to conduct public review meetings and/or public hearings when most of the resident population is in town.

The City anticipates conducting preliminary biological, cultural, historical and hazardous materials technical studies, as well continuing preparation of the initial California Environmental Quality Act (CEQA) study and environmental assessment National Environmental Policy Act (NEPA) joint document between October 2007 and January 2008. The City expects to begin agency consultation, administrative review, and release of the public draft of the environmental document from February 2008 through April 2008. The City anticipates holding public meetings and proceeding with preparing the joint CEQA/NEPA document from April 2008 through May 2008. The public process will continue in September 2008 through October 2008, as the City circulates the CEQA/NEPA document for the 45-day public review period. The City expects to respond to any comments in November 2008 through December 2008. In January 2009 through February 2009, the City anticipates releasing the Final Environmental Impact Report; the City will also hold public meetings and hearings and certify the environmental documents from March 2009 through April 2009. In May 2009 and June 2009, the City will make any applicable final revisions and begin the allocation process for the Plans, Specifications, and Estimates (PS&E) phase.

The City is also concurrently requesting a 12-month extension to the period of project allocation for the PS&E and Right of Way phases under Reference Item 2.8a.

BACKGROUND:

Current State Transportation Improvement Program (STIP) Guidelines stipulate that 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.