

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 30–July 1, 2010

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

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT EXPENDITURES FOR LOCALLY-ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES WAIVER-10-36**

RECOMMENDATION:

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

ISSUE:

The attached list identifies eleven locally-administered State Transportation Improvement Program (STIP) projects totaling \$2,319,000. The Commission allocated the funds in Fiscal Year 2007-08 for project development phases, as shown on the attachment. 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	County of Lassen Lassen County PPNO: 02-2121A Skyline Road Extension – Phase 2	Right of Way (R/W): Allocated: \$200,000 Balance: \$200,000	05/29/2008 FP-07-73 12 Months 06/30/2011 Support
	<p>The county of Lassen (County) is requesting a 12-month extension to the period of project development expenditure for right of way for the Skyline Road Extension – Phase 2 project. The right of way phase of this project has been delayed because of additional time needed to complete the appraisals through consultant services. Per the Department’s request, the County also updated the format of its right of way contract to match the Department’s format. The update caused an additional two-month delay. The County anticipates that right of way appraisals will be completed through consultant services by August 2010, and the County Council will approve the right of way contract by October 2010. After receiving County Council approval, the County anticipates that eight months will be needed for right of way acquisition. The County plans to work on right of way acquisition from November 2010 through June 2011. The County requests a 12-month time extension to June 30, 2011.</p>		
2	County of Tehama Tehama County PPNO: 02-2148 Bowman Road Bridge (#08C-0009)	Right of Way (R/W): Allocated: \$9,000 Balance: \$5,715	06/26/2008 FP-07-81 12 Months 06/30/2011 Support
	<p>The county of Tehama (County) is requesting a 12-month extension to the period of project development expenditure for right of way for the Bowman Road Bridge project. The project was delayed due to environmental issues regarding Native American remains. Section 106, Phase III Data Recovery required a change to property easement and purchase requirements for the County. Several property owners have posed considerable opposition to the County’s right of way acquisition efforts, and condemnation proceedings are anticipated. The County anticipates that the new property easements and purchase requirements will be finalized by March 2011. The County anticipates that right of way acquisition will be completed by June 2011. The County requests a 12-month time extension to June 30, 2011.</p>		
3	City of Yreka Siskiyou County PPNO: 02-2295 Bruce Street Rehabilitation	Plans, Specifications, & Estimates (PS&E): Allocated: \$25,000 Balance: \$25,000	06/26/2008 FP-07-81 20 Months 02/29/2012 Recommend 2 months
	<p>The city of Yreka (City) is requesting a 20-month extension to the period of project development expenditure for design of the Bruce Street Rehabilitation project. The City plans to submit its first invoice in June 2010, which will amount to approximately 75 percent of the allocated funds. The City anticipates that PS&E will be completed by August 2010. However, the City requests a 20-month time extension to February 29, 2012. The City’s request is intended to ensure the PS&E funds are available for bid assistance once a construction allocation has been approved, to allow for transfer of unexpended PS&E dollars to construction. The Commission denied a similar request at the May 2010 Commission meeting. In consideration of the City’s anticipated completion date for PS&E, the Department recommends a two-month time extension to August 31, 2010.</p>		
4	City of Portola Plumas County PPNO: 02-2371 Road A15 Reconstruction	Right of Way (R/W): Allocated: \$48,000 Balance: \$33,272	12/13/2007 FP-07-39 12 Months 06/30/2011 Support
	<p>The city of Portola (City) is requesting a 12-month extension to the period of project development expenditure for right of way for the Road A15 Reconstruction project. The City has experienced unforeseen delays while attempting to secure easements to the project area. The City has been unable to locate two of the eight property owners for which easements are desired. Certified mailings to tax roll addresses have been returned and alternate methods have not resulted in locating these owners. The City believes that both owners are out of the area. The City requests a 12-month time extension to June 30, 2011, to continue efforts to locate these individuals and secure these easements.</p>		

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5	County of Tehama Tehama County PPNO: 02-2378 Sacramento River Bridge (#08C-0043)	Plans, Specifications, & Estimates (PS&E): Allocated: \$180,000 Balance: \$103,766	06/26/2008 FP-07-81 18 Months 12/31/2011 Support
<p>The county of Tehama (County) is requesting an 18-month extension to the period of project development expenditure for design of the Sacramento River Bridge project. A number of NEPA environmental issues have added unforeseen delays to the project.</p> <p>First, the Sacramento River Bridge project touches down on Bureau of Land Management (BLM) property and is subject to the 4(f) NEPA process for taking park land. The County and Department staff have spent approximately 12 months coordinating with BLM, holding public meetings, investigating two additional alternatives for parkland avoidance, and preparing a mitigation plan for the impacts on the existing facility.</p> <p>The second issue is related to the need for additional studies and a study area for the future park improvements which are required for mitigating impacts to the BLM boat launch. The area of potential effects was increased and subsequently impacted elderberry bushes, planted by BLM in 2000 with grant funding through the United States Fish and Wildlife Foundation. The elderberry bushes are the natural habitat for the endangered Valley Elderberry Long-horned Beetle. Other species analyzed include the California Red-legged Frog and several salmon species in the Sacramento River. New protocol pertaining to the hydro acoustics and salmon avoidance work window has delayed the submittal of the Biological Assessment.</p> <p>The third issue is the necessity to perform additional hydraulic analysis due to complex overland flooding during design flow events. This resulted in additional field surveying and hydraulic analysis including calibration of water model to nearby Lake California community which is subject to a detailed study area under the Federal Emergency Management Administration.</p> <p>The County cannot finalize PS&E until NEPA is finished with the above items resolved. The County anticipates that the environmental issues mentioned above will be resolved by the end of 2011. The County requests an 18-month time extension to December 31, 2011.</p>			
6	City of Tulelake Siskiyou County PPNO: 02-2471 Tulelake Street Rehabilitation	Plans, Specifications, & Estimates (PS&E): Allocated: \$25,000 Balance: \$25,000	06/26/2008 FP-07-81 6 Months 12/31/2010 Support
<p>The city of Tulelake (City) is requesting a six-month extension to the period of project development expenditure for design of the Tulelake Street Rehabilitation project. Although the City has not yet invoiced for the design phase of this project, 60 percent of the design work has been completed. The City encounters significant impact on streets during the summer farming and harvest season (May 2010–Nov 2010). Due to the high number of agricultural employees in the area, the City anticipates that further deterioration of Tulelake Street will occur this summer. The City must incorporate any additional street failures which occur from the summer traffic into the design of the Tulelake Street Rehabilitation project. This will delay completion of PS&E. The City requests a six-month time extension to December 31, 2010.</p>			

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7	County of Modoc Modoc County PPNO: 02-3267 County Road 87A, Bridge #3C-117	Environmental & Permits (E&P): Allocated: \$16,000 Balance: \$7,464	09/05/2007 FP-07-07 20 Months 02/29/2012 Support
<p>The county of Modoc (County) is requesting a 20-month extension to the period of project development expenditure for E&P for the County Road 87A Bridge #3C-117 Replacement project.</p> <p>As a cost saving measure, this bridge replacement project is being developed simultaneously with another bridge replacement project, Bridge #3C-123 (Project 8), that is located in the same watershed on the same road (County Road 87A). At the field review on May 29, 2008, the County learned that the California Department of Fish and Game (DFG) was working on a wetland restoration project that would level the surrounding valley and fill in the channel crossed by the existing and proposed new bridges. On June 11, 2008, the County met with the Department of Transportation and decided to continue working toward environmental clearance, but not final design or right of way. On August 29, 2008, the DFG presented the County with draft project plans which showed that the DFG project, if completed, would make Bridge #3C-117, unnecessary.</p> <p>The DFG has applied for grant funding from the Wildlife Conservation Board and the Sierra Nevada Conservancy; however, there is no firm schedule for the grant funding at this time. The County has suspended work on this project to avoid spending unnecessary State and Federal funds. The DFG is confident they will be able to secure funds in the near future. If the DFG is able to secure funds, the DFG will complete the wetland restoration project that will make Bridge #3C-117 unnecessary. However, if the DFG does not obtain the funding, the County will need to complete both bridges. The County requests a 20-month time extension to February 29, 2012, to allow the DFG time to secure funding. If the DFG does not receive funding for their project within the extended deadline, the County will immediately resume work on this bridge replacement project.</p>			
8	County of Modoc Modoc County PPNO: 02-3268 County Road 87A, Bridge #3C-123	Environmental & Permits (E&P): Allocated: \$16,000 Balance: \$ 7,176	09/05/2007 FP-07-07 20 Months 02/29/2012 Support
<p>The county of Modoc (County) is requesting a 20-month extension to the period of project development expenditure for E&P for the County Road 87A Bridge #3C-123 Replacement project.</p> <p>As a cost saving measure, this bridge replacement project is being developed simultaneously with another bridge replacement project, Bridge #3C-117 (Project 7), that is located in the same watershed on the same road (County Road 87A). At the field review on May 29, 2008, the County learned that the California Department of Fish and Game (DFG) was working on a wetland restoration project that would level the surrounding valley and fill in the channel crossed by the existing and proposed new bridges. On June 11, 2008, the County met with the Department of Transportation and decided to continue working toward environmental clearance, but not final design or right of way. On August 29, 2008, the DFG presented the County with draft project plans which showed that the DFG project, if completed, would make Bridge #3C-117, unnecessary.</p> <p>The DFG has applied for grant funding from the Wildlife Conservation Board and the Sierra Nevada Conservancy; however, there is no firm schedule for the grant funding at this time. Realizing that cost savings would be lost by not developing the projects simultaneously, the County suspended work on this bridge replacement project. The DFG is confident they will be able to secure funds in the near future. If the DFG is able to secure funds, the DFG will complete the wetland restoration project that will make Bridge #3C-117 unnecessary. However, if the DFG does not obtain the funding, the County will need to complete both bridges. The County requests a 20-month time extension to February 29, 2012, to allow the DFG time to secure funding. If the DFG does not receive funding for their project within the extended deadline, the County will immediately resume work on this bridge replacement project.</p>			

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9	Town of Mammoth Lakes Mono County PPNO: 09-2512 Airport Access Road East Mammoth/Yosemite Airport	Environmental & Permits (E&P): Allocated: \$119,000 Balance: \$72,004	12/13/2007 FP-07-39 6 Months 12/31/2010 Support
	<p>The town of Mammoth Lakes (Town) is requesting a six-month extension to the period of project development expenditure for E & P for the Airport Access Road East Mammoth/Yosemite Airport project. The Town completed most of the environmental phase but experienced an unforeseen delay due to a recent announcement involving endangered species. On March 5, 2010, the United States Fish and Wildlife Service announced that the Sage Grouse warranted protection under the endangered species act. Since the project passes through potential Sage Grouse habitat, the Town hired a consultant to complete a detailed biological survey report for special species, to determine the project's impact to the Sage Grouse. The field study was conducted during the spring breeding season (March–May 2010) and a report will be prepared and analyzed over the summer (June–August 2010). The Town anticipates that the environmental review incorporating any new information gathered by the sage grouse study will be completed by the end of 2010. The Town requests a six-month time extension to December 31, 2010.</p>		
10	County of Tuolumne Tuolumne County PPNO: 10-0020C Jamestown Main Street to Railtown Sidewalk, TE	Environmental & Permits (E&P): Allocated: \$150,000 Balance: \$150,000	06/26/2008 FP-07-81 20 Months 02/29/2012 Deny
	<p>The county of Tuolumne (County) is requesting a 20-month extension to the period of project development expenditure for E & P for the Bruce Street Rehabilitation project. The County was unable to receive authorization to proceed with preliminary engineering due to missing support documents; therefore, no work has been completed on the E&P phase. The County requests a 20-month time extension to February 29, 2012. The Department recommends that this extension be denied.</p>		
11	OCTA Orange County PPNO: 12-2132 Programming, Planning, and Monitoring	Programming, Planning & Monitoring (PPM): Allocated: \$1,531,000 Balance: \$1,531,000	09/20/2007 FP-07-24 6 Months 12/31/2010 Support
	<p>The Orange County Transportation Authority (OCTA) is requesting a six-month extension to the period of project development expenditure for programming, planning, and monitoring activities. The PPM funds were dedicated to a preconstruction planning study in Orange County. The OCTA developed a public outreach and Locally Preferred Strategy (LPS) Development plan and expected approval to initiate the plan in April 2010. However, on April 5, 2010, the OCTA Highways Committee did not approve the plan. Instead, the Highways Committee requested a reorganization of the study's public communications plan, including additional public outreach materials and public meetings. Prior to receiving this direction, the planning study was scheduled for completion by June 30, 2010. The OCTA anticipates that the required changes will delay the completion of the project study until December 2010. The OCTA requests a six-month time extension to December 31, 2010.</p>		